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Table with 2 columns: Category and Page. Categories include Agriculture and Food, Culture and the Arts, Deceased Estates, Fisheries, Health, Local Government, Minerals and Petroleum, and Planning and Infrastructure.

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— PART 2 —

AGRICULTURE AND FOOD

AG401*

WESTERN AUSTRALIAN MEAT INDUSTRY AUTHORITY ACT 1976

APPOINTMENTS

Department of Agriculture and Food,
South Perth WA 6151.

I, Terry Redman, Minister for Agriculture and Food, acting in accordance with the provisions of the *Western Australian Meat Industry Authority Act 1976*, hereby reappoint pursuant to Sections 8 and 9, the following as members of the Western Australian Meat Industry Authority to the positions and for the term of office to expire as follows—

Kerry McAuliffe	Chairman and Member	3 March 2012
Malcolm Seymour	Member and Deputy Chairman	30 March 2011
Desmond Griffiths	Member	30 March 2010
Graeme Haynes	Member	30 March 2010

TERRY REDMAN MLA, Minister for Agriculture and Food.

CULTURE AND THE ARTS

CA401*

LIBRARY BOARD OF WESTERN AUSTRALIA ACT 1951

APPOINTMENT OF CHAIRMAN AND VICE CHAIRMAN

State Library of Western Australia.

It is hereby notified for public information that Cr Janet Davidson JP has been appointed to Chairman of the Library Board of Western Australia for 2009.

Mr Michael Murray has been appointed to the position of Vice Chairman of the Library Board of Western Australia for 2009.

MARGARET ALLEN, Chief Executive Officer and
State Librarian.

FISHERIES

FI401*

FISH RESOURCES MANAGEMENT ACT 1994

SHARK BAY SCALLOP MANAGED FISHERY MANAGEMENT PLAN 1994

Determination of Areas Closed to Fishing for Scallops

Determination No. 1 of 2009

I, Stuart Smith, Chief Executive Officer of the Department of Fisheries Western Australia, in accordance with clause 9 of the *Shark Bay Scallop Management Plan 1994* (the Plan), do hereby—

1. Cancel *Determination No. 1 of 2008*, dated 18 February 2008.
2. Prohibit fishing for scallops in those parts of the Shark Bay Scallop Managed Fishery (the Fishery), between the times and dates provided for in items (a) to (g) below—
 - (a) Fishing for scallops is prohibited in all parts of the Fishery from the date of gazettal of the Notice advising that I have made *Determination No. 1 of 2009*, until 0645 hours on 15 March 2009, except between 0800 and 1600 hours each day in that part of the

Fishery bounded by a line commencing at the intersection of 24°50.00' south latitude and 113°21.50' east longitude and extending south along the meridian to the intersection of 24°52.75' south latitude and 113°21.50' east longitude; thence east along the parallel to the intersection of 24°52.75' south latitude and 113°23.50' east longitude; thence north along the meridian to the intersection of 24°50.00' south latitude and 113°23.50' east longitude; thence west along the parallel to the commencement point—**commonly known as the gear trial area.**

- (b) Fishing for scallops is prohibited in all parts of the Fishery from 0645 hours on 15 March 2009 to 1800 hours on 19 March 2009, excluding between 0645 hours and 1930 hours each day from 15 March 2009 up to and including 18 March 2009, and under the authorisation of an A class licence only, in that part of the fishery bounded by a line commencing at the intersection of 25°46.00' south latitude and 113°13.02' east longitude; thence extending due east along the parallel to the intersection 25°46.00' south latitude and 113°14.75' east longitude; thence extending due south along the geodesic to the intersection 25°50.83' south latitude and 113°14.75' east longitude; thence extending generally south easterly to the intersection of 25°51.41' south latitude and 113°15.65' east longitude; thence extending due south along the meridian to the intersection 25°52.05' south latitude and 113°15.65' east longitude; thence extending south westerly along the geodesic to the intersection of 25°53.24' south latitude and 113°14.93' east longitude; thence extending generally south westerly along the geodesic to the intersection of 25°56.33' south latitude and 113°14.71' east longitude; thence extending due west along the parallel to the intersection 25°56.33' south latitude and 113°12.69' east longitude; thence extending generally northerly along the geodesic to the intersection of 25°52.31' south latitude and 113°12.77' east longitude; thence extending generally north to the commencement point—**commonly known as the “new Leads”.**
- (c) Fishing for scallops is prohibited from 1800 hours on 19 March 2009 to 0800 hours on 29 October 2009—
- (i) in all waters of the Fishery east of 113°30.6' east longitude (Schedule 2 of the *Shark Bay Scallop Management Plan 1994*);
 - (ii) in all nursery areas described in Schedule 3 of the *Shark Bay Scallop Management Plan 1994*;
 - (iii) in that part of the Fishery south of a line commencing at the intersection of 25°40.59' south latitude and 113°02.87' east longitude (high water mark on Dirk Hartog Island); thence extending east along the parallel to the intersection of 25°40.59' south latitude and 113°04.80' east longitude; thence south easterly along the geodesic to the intersection of 25°41.00' south latitude and 113°05.63' east longitude; thence extending east along the parallel to the intersection of 25°41.00' south latitude and 113°08.00' east longitude; thence south easterly along the geodesic to the intersection of 25°46.00' south latitude and 113°13.00' east longitude; thence east along the parallel to the intersection of 25°46.00' south latitude and 113°19.00' east longitude; thence north along the meridian to the intersection of 25°38.00' south latitude and 113°19.00' east longitude; thence north westerly along the geodesic to the intersection of 25°32.00' south latitude and 113°25.00' east longitude; thence east along the parallel to the intersection of 25°32.00' south latitude and 113°29.74' east longitude (high water mark on Peron Peninsula)—**commonly known as the “Snapper/Trawl Closure”.**
 - (iv) in that part of the Fishery bounded by a line commencing at the intersection of 25°36.00' south latitude and 113°01.63' east longitude (high water mark on Dirk Hartog Island); thence extending east along the parallel to the intersection of 25°36.00' south latitude and 113°03.75' east longitude; thence due south along the meridian to the intersection of 25°38.00' south latitude and 113°03.75' east longitude; thence west along the parallel to the intersection of 25°38.00' south latitude and 113°02.30' east longitude (high water mark on Dirk Hartog Island)—**commonly known as the “Withnell Point Closure”.**
- (d) Notwithstanding items (a) to (c) above, a person operating a boat under the authority of a class A licence is prohibited from fishing for scallops between 1930 hours and 0645 hours the following day from 19 March 2009 to 29 March 2009 and then between 1830 hours and 0600 hours the following day from 30 March 2009 to 29 October 2009 in that part of the Fishery south of a line commencing at the intersection of 25°32.00' south latitude and 113°29.74' east longitude (high water mark on Peron Peninsula); thence west along the parallel to the intersection of 25°32.00' south latitude and 113°25.00' east longitude; thence extending westerly along the geodesic to the intersection of 25°31.25' south latitude and 113°09.75' east longitude (southern most point of Red Cliff Nursery Area); thence westerly along the geodesic to the intersection of 25°30.00' south latitude and high water at Cape Levillian on Dirk Hartog Island (113°01.40' east longitude)—**commonly known as the “Denham Sound Night Time Closure”.**
- (e) Notwithstanding items (a) to (d) above, a person operating a boat under the authority of a class B licence is prohibited from fishing for scallops—
- (i) between 0900 hours and 1800 hours each day between 20 March 2009 and 29 March 2009 and then between 0800 hours and 1700 hours each day from 30 March 2009 to 29 October 2009 in all parts of the Fishery south of 24°45.30' south latitude—**commonly known as that area south of Koks Island.**

- (ii) between 1100 hours and 1800 hours each day between 20 March 2009 and 29 March 2009 and then between 1000 hours and 1700 hours each day from 30 March 2009 to 29 October 2009 (with the exception of 29 October 2009 when fishing is prohibited after 0800 hours) in that part of the Fishery north of 24°45.30' south latitude—**commonly known as that area north of Koks Island**.
- (f) Fishing for scallops is prohibited in all parts of the Fishery from 0800 on 7 May 2009 to 1700 hours on 7 August 2009—**commonly known as the “scallop spawning closure”**.
- (g) Fishing for scallops is prohibited in all parts of the Fishery from 0800 hours on 29 October 2009 to 0800 hours on 1 June 2010.

STUART SMITH, Chief Executive Officer.

Dated this 4th day of March 2009.

FI402*

FISH RESOURCES MANAGEMENT ACT 1994 SHARK BAY SCALLOP MANAGEMENT PLAN 1994

Clause 9 closures of areas within the Fishery

I, Stuart Smith, Chief Executive Officer of the Department of Fisheries Western Australia, in accordance with the *Shark Bay Scallop Management Plan 1994* hereby give notice that I have cancelled *Determination No. 1 of 2008* which set out the dates, times and areas that fishing is prohibited in the Shark Bay Scallop Managed Fishery.

I hereby give notice that a new Determination (*Determination No. 1 of 2009*) has been made in accordance with clause 9 of the *Shark Bay Scallop Management Plan 1994* of the dates, times and areas that fishing is prohibited in the Shark Bay Scallop Managed Fishery over the period commencing from the date of gazettal of this notice and ending on 1 June 2010.

A copy of this Determination which is signed by me may be obtained from, or inspected at the Head Office of the Department of Fisheries located at 168 St George's Terrace, Perth or the offices of Department of Fisheries located at 83 Olivia Terrace, Carnarvon and Knight Terrace, Denham.

STUART SMITH, Chief Executive Officer.

Dated this 4th day of March 2009.

HEALTH

HE401*

HEALTH SERVICES (QUALITY IMPROVEMENT) ACT 1994 HEALTH SERVICES (QUALITY IMPROVEMENT) (APPROVED COMMITTEE) ORDER (NO. 1) 2009

Made by the Principal Medical Officer (as 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. 1) 2009*.

Commencement

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

Committee

3. Medical Quality Committee established by the Chief Executive Officer of St John of God Health Care (Murdoch) exercising the delegated authority of the Board of St John of God Health Care Inc is an approved quality improvement committee for the purposes of the Act.

Expiry of order

4. This order expires three years after its commencement.

Dated this 26th day of February 2009.

Dr DOROTHY JONES, Director and Principal Medical Officer,
Office of Safety and Quality in Healthcare.

LOCAL GOVERNMENT

LG401*

BUSH FIRES ACT 1954*City of Rockingham*

APPOINTMENT OF OFFICERS

It is hereby notified for public information that in accordance with Section 38(1) of the Act, the Council of the City of Rockingham has appointed the following officers—

CHIEF BUSH FIRE CONTROL OFFICER

Mr Greg Whip

DEPUTY CHIEF BUSH FIRE CONTROL OFFICER

Mr Terry Wegwermer

FIRE CONTROL OFFICERS

Mr Peter Oliver

Mr Denham Carlyon

Mr Colin Curry

Mr Daniel Blair

Mrs Helen Edwards

All previous appointments are hereby cancelled.

ANDREW HAMMOND, Chief Executive Officer.

MINERALS AND PETROLEUM

MP401*

OFFSHORE PETROLEUM AND GREENHOUSE GAS STORAGE ACT 2006

SURRENDER OF EXPLORATION PERMIT WA-294-P

The surrender of Exploration Permit WA-294-P has been registered and will take effect on the date this Notice appears in the *Government Gazette*.

W. L. TINAPPLE, Executive Director,
Petroleum and Environment Division.

MP402*

PETROLEUM PIPELINES ACT 1969

APPLICATION FOR PIPELINE LICENCE

I, William Lee Tinapple, Executive Director of the Petroleum and Environment Division in the Department of Mines and Petroleum for the State of Western Australia being the Officer for the time being holding certain powers and functions of the Minister in respect of the area specified in the State of Western Australia by virtue of an instrument of delegation dated 25 July 2007, give notice pursuant to Section 8(4) of the *Petroleum Pipelines Act 1969* that an application recorded as 3P/08-9 has been received from—

EPIC ENERGY PILBARA PTY LTD

For a pipeline licence to construct and operate a pipeline for the conveyance of natural gas from the PEPL Pipeline to Horizon Power Station, approximately 4.9kms in length.

A map showing the position of the proposed pipeline may be examined during public office hours from 03 March 2009 until 31 March 2009 at the Department of Mines and Petroleum on the 1st Floor Mineral House, 100 Plain Street, East Perth, WA and at the Karratha Mining Registrar at Corner Welcome Road and Hedland Place, Karratha, WA.

Dated this 27th day of February 2009.

W. L. TINAPPLE, Executive Director,
Petroleum and Environment Division.

PLANNING AND INFRASTRUCTURE

PI401***ARMADALE REDEVELOPMENT ACT 2001****ARMADALE REDEVELOPMENT SCHEME 2004—AMENDMENT NO. 15**

Notice is hereby given that, in accordance with the consent of the Minister for Planning to its public notification, the proposed Armadale Redevelopment Scheme 2004—Amendment No. 15 has been prepared by the Armadale Redevelopment Authority.

The Amendment encompasses a series of amendments to the Scheme text and maps.

In summary these amendments comprise the following—

- establish a new precinct for the redevelopment area—Precinct 4 (a)—Forrestdale (West) Special Development Precinct. The objective for this precinct is to defer most forms of subdivision and development pending finalisation of a Structure Plan for the area.
- undertake consequential changes to *Table 2; Precinct Table* to indicate landuse determinations for the new precinct.
- include the new precinct within the following scheme maps—*Appendix 1: Scheme Maps, Appendix 3 : Development Contribution Areas maps* and *Appendix 4: Structure Plan Areas Maps*.
- Amend Part 8 of the Scheme to include a new clause which will allow the ARA to accept 'prior payments' from landowners to fund the Structure Planning process.

A document setting out the Amendment is available for inspection or purchase at the offices of the Armadale Redevelopment Authority, 210-220 Jull Street Mall, Armadale, between the hours of 8.30 am and 5.00 pm, Monday to Friday, from 10 March 2009 until 21 April 2009. The document can also be viewed at the Authority's website at www.ara.wa.gov.au.

Written submissions on the Scheme should be addressed to—

Executive Director
Armadale Redevelopment Authority
PO Box 816
Armadale WA 6992

Submissions may also be hand delivered to the Authority's office and the closing date for all submissions is 5.00pm, 21 April 2009.

JOHN ELLIS, Executive Director,
Armadale Redevelopment Authority.

PI402***ARMADALE REDEVELOPMENT ACT 2001****ARMADALE REDEVELOPMENT SCHEME 2004—AMENDMENT NO. 18**

Notice is hereby given that, in accordance with the consent of the Minister for Planning to its public notification, the proposed Armadale Redevelopment Scheme 2004—Amendment No. 18 has been prepared by the Armadale Redevelopment Authority.

Amendment 18 proposes to replace the list of 'Redevelopment Works' for the Forrestdale Business Park with a new list which accords with the provisions of the proposed Part 8 of the Armadale Redevelopment Scheme 2004 (the Scheme) and the proposed Structure Plan

Schedule 3 of the Scheme lists the "redevelopment works" items for each precinct which are subject to the provisions of Part 8 of the Scheme. This list of items forms the basis for the cost estimate for the "redevelopment works" upon which owners contributions are calculated.

Amendment 18 will replace the existing list of "redevelopment works" items in respect to the Forrestdale Business Park with a new list which is consistent with the requirements of Part 8 (as amended) of the Scheme.

A document setting out the Amendment is available for inspection or purchase at the offices of the Armadale Redevelopment Authority, 210-220 Jull Street Mall, Armadale, between the hours of 8.30 am and 5.00 pm, Monday to Friday, from 10 March 2009 until 21 April 2009. The document can also be viewed at the Authority's website at www.ara.wa.gov.au.

Written submissions on the Scheme should be addressed to—

Executive Director
Armadale Redevelopment Authority
PO Box 816
Armadale WA 6992

Submissions may also be hand delivered to the Authority's office and the closing date for all submissions is 5.00pm, 21 April 2009.

JOHN ELLIS, Executive Director,
Armadale Redevelopment Authority.

PI403***ARMADALE REDEVELOPMENT ACT 2001****WUNGONG URBAN WATER REDEVELOPMENT SCHEME 2007—AMENDMENT NO. 5**

Notice is hereby given that, in accordance with the consent of the Minister for Planning to its public notification, the proposed Wungong Urban Water Redevelopment Scheme 2007—Amendment No 5 has been prepared by the Armadale Redevelopment Authority.

Amendment 5 to the Wungong Urban Water Redevelopment Scheme 2007 encompasses a series of amendments to the Scheme text. The objectives of these amendments are as follows—

- To include a requirement for Detailed Area Plans to support subdivision proposals within the Urban Zone.
- To clarify the basis for the estimate of maximum average density in the Suburban zone by the replacement of site density with lot size.
- To change the maximum dwelling site area in the urban zone to a maximum lot average to provide more flexibility in lots and dwelling size in this zone.
- To realign certain cell boundaries to reflect Structure Plan proposals.
- To change the proposed alignment of Forrest Road and its junction with the Tonkin Highway.

A document setting out the Amendment is available for inspection or purchase at the offices of the Armadale Redevelopment Authority, 210-220 Jull Street Mall, Armadale, between the hours of 8.30 am and 5.00 pm, Monday to Friday, from 10 March 2009 until 21 April 2009. The document can also be viewed at the Authority's website at www.wungongurbanwater.com.au

Written submissions on the Scheme should be addressed to—

Executive Director
Armadale Redevelopment Authority
PO Box 816
Armadale WA 6992

Submissions may also be hand delivered to the Authority's office and the closing date for all submissions is 5.00pm, 21 April 2009.

JOHN ELLIS, Executive Director,
Armadale Redevelopment Authority.

PI404***PLANNING AND DEVELOPMENT ACT 2005****APPROVED LOCAL PLANNING SCHEME AMENDMENT***Shire of Halls Creek***Town Planning Scheme No. 1—Amendment No. 13**

Ref: 853/7/3/2 Pt 13.

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 Halls Creek local planning scheme amendment on 19 February 2009 for the purpose of—

1. Rezoning Lot 8 and a portion of Lot 7 Bridge Street from Public Purposes Reserve Aerodrome to Special Site Hotel/Motel.
2. Rezoning portion of Lot 9000 Bridge Street from Public Purposes Reserve Aerodrome to No Zone.
3. Amending the Scheme maps accordingly.

LYNETTE CRAIG, Shire President.
WARREN OLSEN, Chief Executive Officer.

PI405***PLANNING AND DEVELOPMENT ACT 2005****APPROVED LOCAL PLANNING SCHEME AMENDMENT***Shire of Halls Creek***Town Planning Scheme No. 1—Amendment No. 15**

Ref: 853/7/3/2 Pt 15.

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 Halls Creek local planning scheme amendment on 19 February 2009 for the purpose of—

1. Rezoning a portion of Lot 68 Great Northern Highway and Lot 409 Moyle Crescent from Public Purpose Reserve Police Purposes to Residential R40.

2. Amending the Scheme map accordingly.

LYNETTE CRAIG, Shire President.
WARREN OLSEN, Chief Executive Officer.

PI406*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
City of Subiaco
Town Planning Scheme No. 4—Amendment No. 11

Ref: 853/2/12/7 Pt 11.

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 Subiaco local planning scheme amendment on 29 December 2008 for the purpose of City of Subiaco Town Planning Scheme No. 4—Amendment No. 11.

The City of Subiaco under and by virtue of the powers conferred upon it in that behalf by the *Planning and Development Act 2005* hereby amends the above local planning scheme by—

The Scheme Map for Lots 131, 132, 133 and 550 Monash Avenue, Nedlands and Lots 134, 135 and 136 Hardy Road, Nedlands by rezoning the land from 'Residential R50' to 'Neighbourhood Mixed Use' as depicted on the scheme amendment map.

H. HENDERSON, Mayor.
S. TINDALE, Chief Executive Officer.

PI407*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
City of Perth
City Planning Scheme No. 2—Amendment No. 14

Ref: 853/2/10/26 Pt 14.

It is hereby notified for public information, in accordance with section 87(3) of the *Planning and Development Act 2005* that the Minister for Planning approved the City of Perth local planning scheme amendment on 17 February 2009 for the purpose of—

1. Amend Clause 47 Determination of Non-Complying Applications by replacing Clause (3)(b)(ii) with the following new clause—

'(ii) the application complies with clause 34; or'

and insert after (3)(b)(ii) the following clause—

'(iii) the application complies with clause 28;'

L. M. SCAFFIDI, Lord Mayor.
F. R. EDWARDS, Chief Executive Officer.

PI408*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
Shire of East Pilbara
Town Planning Scheme No. 4—Amendment No. 10

Ref: 853/8/2/5 Pt 10.

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 East Pilbara local planning scheme amendment on 19 February 2009 for the purposes of—

1. Rezoning the majority portion of Lot 9000 on Deposited Plan 56657 located immediately south of Welsh Drive, Newman from 'Rural' to 'Industrial' as identified by the Scheme Amendment Map.

2. Rezoning portion of unallocated Crown land generally bound by McBride Drive to the south, Welsh Drive to the west and Lot 9000 on Deposited Plan 56657 to the east, Newman from 'Rural' to 'Industrial' as identified by the Scheme Amendment Map.
3. Amending the Scheme Map in accordance with the Scheme Amendment Map.

L. CRAIGIE, Shire President.
A. COOPER, Chief Executive Officer.

PI409*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
City of Albany
Town Planning Scheme No. 3—Amendment No. 268

Ref: 853/5/4/5 Pt 268.

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 Albany local planning scheme amendment on 17 February 2009 for the purpose of—

1. Rezoning Lot 5 Racecourse Road, Robinson from 'Rural' zone to the 'Special Rural' zone.
2. Amending Schedule 1—"Special Rural Zones—Provisions Relating to Specified Areas" by—
 - a. Including Lot 5 Racecourse Road, Robinson in Special Rural Area No 29.
 - b. Amending the "(a) Specified Area of Locality" to include reference to "Lot 5 Racecourse Road, Robinson".
 - c. Amending Clause 1.1(b) to replace Clause 1.1(b) with the following—
 - 1.1 (b) the Plan for Lot 3 Roberts Road and Lots 4 and 5 Racecourse Road, reference 14214-01D, dated 26/09/07."
 - d. Amending Clause 8.2 by removing "Department of Environment" and replacing with "Responsible Department".
3. Amending the Scheme Maps accordingly.

M. J. EVANS, Mayor.
P. R. RICHARDS, Chief Executive Officer.

PI410*

PLANNING AND DEVELOPMENT ACT 2005
METROPOLITAN REGION SCHEME MAJOR AMENDMENT 1074/33
LEIGHTON BEACH AND ENVIRONS
Outcome of Submissions

The Western Australian Planning Commission (WAPC) has considered all the submissions received in respect of the amendment proposal for the Leighton Beach and Environs Amendment 1074/33. This proposal was first published in the *Government Gazette* on 31 August 2004. The amendment is shown on WAPC plan number 3.1688/4.

The amendment, as modified, has been presented to and approved by the Governor in accordance with the requirements of the *Planning and Development Act 2005*. It will now be tabled in both Houses of Parliament, where it must remain for 12 sitting days. During this time either House may, by resolution, disallow the amendment. As soon as the amendment is no longer subject to disallowance it becomes legally effective in the Metropolitan Region Scheme.

Copies of the amendment and the accompanying report on submissions are available for public inspection from Tuesday 10 March 2009 at the following locations—

- | | |
|--|---|
| <ul style="list-style-type: none"> • Western Australian Planning Commission
Wellington Street, Perth • J S Battye Library
Level 3 Alexander Library Building
Perth Cultural Centre | <ul style="list-style-type: none"> Council Offices of the municipalities of— • City of Perth • City of Fremantle • Town of Mosman Park • Town of Cottesloe |
|--|---|

Copies of the report on submissions are also available from the WAPC website www.wapc.wa.gov.au.

TONY EVANS, Secretary,
Western Australian Planning Commission.

PI411*

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

Town Planning Scheme No. 2—Amendment No. 62

Ref: 853/2/28/4 Pt 62.

It is hereby notified for public information, in accordance with Section 87 of the *Planning and Development Act, 2005* that the Minister for Planning approved the City of Rockingham local planning Scheme Amendment on the 23rd January 2009 for the purpose of—

1. Inserting after clause 4.2.4(d) the following subclauses—
 - (e) Notwithstanding clause 4.2.4(a), the Council can consider and determine applications for development where land is not included in a Development Area or within a Structure Plan, where the Council is satisfied that the development is consistent with the prevailing character of the locality and will not prejudice the future development of the land.
 - (f) In considering applications for development under clause 4.2.4(e), the Council is to follow the advertising procedures of clause 6.3.3.
2. Deleting clauses 4.2.8 to 4.2.8.4 inclusive and clause 4.2.10.3.
3. Deleting paragraph (b) of clause 4.4.7, and inserting the following paragraphs—
 - (b) Unless the Council waives this requirement, prior to formulating any comments and recommendations on applications for the subdivision of land within the Waterfront Village Zone, the Council will require the applicant to prepare and submit an Integrated Development Guide Plan, which illustrates building envelopes, indicative building configurations, setbacks, pedestrian and vehicular access, indicative carparking layouts, any rights of way or access easements required and any other information required by the Council.
 - (c) An Integrated Development Guide Plan prepared in accordance with clause 4.4.7 (b) shall take account of and adhere to the principles and proposals as set out in the Waterfront Village Policy.
 - (d) An Integrated Development Guide Plan prepared or received by the Council shall be considered by the Council for approval and in making its decision the Council may—
 - (i) reject the Plan;
 - (ii) approve the Plan with or without modifications.
 - (e) An applicant aggrieved by the Council—
 - (i) refusing an Integrated Development Guide Plan;
 - (ii) approving an Integrated Development Guide Plan subject to conditions or requirements unacceptable to the applicant; or
 - (iii) failing to make a decision on an Integrated Development Guide Plan within 35 days of the date of submission of the Plan;shall have a right of appeal under Part 14 of the Act.
 - (f) An applicant dissatisfied by a decision of the Council in respect of an Integrated Development Guide Plan may, within 14 days of the date of the Council's decision, request the Council in writing for a reconsideration of the Plan. In that case the operative date for the purpose of the appeal right arising under paragraph (d) shall be the refusal or approval upon the reconsideration of the Plan.
 - (g) The Council may approve a minor change to or departure from an Integrated Development Guide Plan if, in the opinion of the Council, the change or departure does not materially alter the intent of the Integrated Development Guide Plan.
 - (h) Any change to or departure from an Integrated Development Guide Plan that is not within clause 4.4.7(h) is to follow the procedures set out in clauses 4.4.7(b), 4.4.7(c) and 4.4.7(d).
4. Inserting the following new clause—

4.23 Detailed Area Plans

4.23.1 (a)(i) The Council may, by notice in writing, require a person to prepare and submit to the Council a detailed area plan within the time specified in the notice.

 - (ii) A person may prepare and submit to the Council a detailed area plan.

(b) A detailed area plan is to relate to a particular lot or lots and may be prepared and submitted—

 - (i) to enhance, elaborate or expand on the details or provisions contained in a Proposed Structure Plan or a Structure Plan;
 - (ii) in place of a development approval required to comply with provision 2.3 of the Residential Design Codes; or
 - (iii) for any other planning purpose.

(c) The Council is to—

 - (i) approve with or without conditions; or

- (ii) refuse to approve the detailed area plan.
 - (d) If within 60 days of receiving a detailed area plan under clause 4.23.1(a), or such longer period as may be agreed in writing between the person and the Council, the Council has not made one of the determinations referred to in clause 4.23.1(c), the Council is deemed to have refused to approve the detailed area plan.
 - (e) The Council's refusal to approve a detailed area plan under clause 4.23 is not a valid reason for the Council to refuse to adopt a Proposed Structure Plan under clause 4.2.6.
- 4.23.2 Unless clause 4.23.1(b)(ii) applies, once approved by the Council, the detailed area plan is to be used as the basis for—
- (a) making recommendations to the Commission on subdivision applications; and
 - (b) determining development applications
- with respect to the land subject to the detailed area plan.
- 4.23.3 A detailed area plan may include details as to—
- (a) building envelopes;
 - (b) distribution of land uses within a lot;
 - (c) private open space;
 - (d) services;
 - (e) vehicular access, parking, loading and unloading areas, storage yards and rubbish collection closures;
 - (f) the location, orientation and design of buildings and the space between buildings;
 - (g) advertising signs, lighting and fencing;
 - (h) landscaping, finished site levels and drainage;
 - (i) protection of sites of heritage, conservation or environmental significance;
 - (j) special development controls and guidelines; and
 - (k) such other information considered relevant by the Council.
- 4.23.4 An approved detailed area plan may be modified or varied with the approval of the Council, but where there is a related Structure Plan, such modifications or variations are to conform with the intent of any related Structure Plan.
- 4.23.5 A person who has submitted a detailed area plan under clause 4.23 may appeal, in accordance with Part 14 of the Act, any decision made or deemed to have been made by the Council under clauses 4.23.1 or 4.23.4.
5. Deleting Schedule No.1—Interpretations in its entirety and replacing with the following—

Schedule No. 1
INTERPRETATIONS
(under clause 1.10)

1. General Interpretations

In the Scheme—

Absolute Majority:	shall have the same meaning as is given to it in and for the purposes of the <i>Local Government Act 1995</i> .
Act:	means the <i>Planning and Development Act 2005</i> (as amended).
Additional Use:	means a use that is permitted on a specific portion of land in addition to the uses already permissible in that zone that applies to the land.
Advertisement:	means any word, letter, model, sign, placard, board, notice, device or representation, whether illuminated or not, in the nature of, and employed wholly or partly for the purposes of, advertisement, announcement or direction, and includes any hoarding or similar structure used, or adapted for use, for the display of advertisements. The term includes any airborne device anchored to any land or building and any vehicle or trailer or other similar object placed or located so as to serve the purpose of advertising.
Amenity:	means all those factors which combine to form the character of an area and include the present and likely future amenity.
Amusement Machine:	means any machine, game or device whether mechanical or electronic or a combination of both operated by one or more players for amusement and recreation.
Appeal Tribunal:	means the State Administrative Tribunal constituted under the State Administrative Tribunal Act 2004.
Authorised Officer:	means an Officer of the Council, authorised by the Council to exercise all or some of the powers of the Council under this Scheme.
Baldivis Town Centre Policy:	means the Baldivis Town Centre Policy, as adopted by the Council, together with any amendments and associated policies and performance standards.

Battle-axe Lot:	has the same meaning as is given to that term in the Residential Design Codes.
Building:	has the same meaning as is given to that term in the Residential Design Codes.
Building Codes:	means the Building Code of Australia.
Building Envelope:	means an area of land within a lot marked on a plan approved by the responsible authority within which all buildings and effluent disposal facilities on the lot must be contained.
City Centre:	means the Rockingham Strategic Regional Centre.
Commercial Vehicle:	means a vehicle, whether licensed or not, which is used or designed for use for business, trade or commercial purposes or in conjunction with a business, trade or profession and without limiting the generality of the foregoing, includes any utility, van, truck, trailer, tractor and any attachment to any of them or any article designed to be attached to any of them, and any bus or any earthmoving machine, whether self-propelled or not. The term shall not include a vehicle designed for use as a passenger car or any trailer or other thing most commonly used as an attachment to a passenger car, or a van, utility or light truck which is rated by the manufacturer as being suitable to carry loads of not more than 1.5 tonnes.
Commission:	means the Western Australian Planning Commission constituted under the Act.
Conservation:	means, in relation to any place or Heritage Precinct, the management of that place or precinct in a manner that will— <ul style="list-style-type: none"> (a) enable the cultural heritage significance of that place or precinct to be retained; and (b) yield the greatest sustainable benefit for the present community without diminishing the cultural heritage significance of that place or precinct, and may include the preservation, stabilisation, protection, restoration, reconstruction, adaptation and maintenance of that place or precinct having due regard to relevant professional standards and the provision of an appropriate visual setting.
Council:	means the Council of the City of Rockingham.
Cultural Heritage Significance:	means, in relation to a place or heritage precinct, the relative value which that place or precinct has in terms of its aesthetic, historic, scientific or social significance, for the present community and future generations.
Development:	means the development or use of any land, including— <ul style="list-style-type: none"> (a) any demolition, erection, construction, alteration of or addition to any building or structure on the land; (b) the carrying out on the land of any excavation or other works; (c) in the case of a place to which a Conservation Order made under section 59 of the <i>Heritage of Western Australia Act 1990</i> applies, any act or thing that— <ul style="list-style-type: none"> (i) is likely to change the character of that place or the external appearance of any building; or (ii) would constitute an irreversible alteration of the fabric of any building.
Development Policy Plan:	means the City Centre Development Policy Plan dated June 1994, as adopted by the Council, together with any amendments and associated policies and performance standards.
District:	means the district of the City of Rockingham.
East Rockingham Development Guidelines:	means the East Rockingham Industrial Park Development Guidelines, as adopted by the Council, together with any amendments and associated policies and performance standards.
Environmental Priorities:	means the Environmental Priorities of the City as set out in the State of the Environment Report, as adopted by the Council, together with any amendments or associated policies and performance standards.
Exempted Advertisement:	means an exempted advertisement referred to in Schedule No.6.
Existing Advertisement:	means an existing advertisement referred to in clause 5.3.2.
Frontage:	when used in relation to a building that is used for— <ul style="list-style-type: none"> (a) residential purposes, has the same meaning as in the Residential Design Codes; (b) purposes other than residential purposes, means the road alignment at the front of a lot and, if a lot abuts two or more roads, the one to which the building or proposed building faces.

Gazettal Date:	in relation to a Scheme, means the date on which the Scheme is published in the Gazette under section 87 of the Act.
Gross Leasable Area:	means in relation to a building, the area of all floors capable of being occupied by a tenant for exclusive use, which area is measured from the centre lines of joint partitions or walls and from the outside faces of external walls or the building alignment, including shop fronts, basements, mezzanines and storage areas.
Height:	when used in relation to a building that is used for— <ul style="list-style-type: none"> (a) residential purposes, has the same meaning as in the Residential Design Codes; or (b) purposes other than residential purposes, means the maximum vertical distance between the natural ground level and the finished roof height directly above.
Heritage List:	means a list of those places which, in the opinion of the Council, are of such cultural heritage significance to the Council that conservation and protection under the provisions of this Scheme is warranted.
Incidental Use:	means a premises which is ancillary and subordinate to the predominant use.
Industrial Policy:	means the East Rockingham Industrial Park: Environmental Planning Policy, as adopted by the Council, together with any amendments thereto and associated policies and performance standards.
Integrated Development Guide Plan:	means a plan prepared in accordance with paragraph (b) of clause 4.3.7, paragraph (b) of clause 4.4.7 and paragraph (b) of clause 4.5.4 of the Scheme Text and which deals <i>inter alia</i> with the matters referred to in those paragraphs.
Land:	shall have the same meaning given to it in and for the purposes of the Act.
Licensed Premises:	means any premises licensed or proposed to be licensed under the <i>Liquor Control Act 1988</i> .
Local Commercial Strategy:	means the Local Commercial Strategy, as adopted by the Council, together with any amendments and associated policies and performance standards.
Local Reserve:	means land shown on the Scheme Map as a Local Reserve.
Lot:	has the same meaning as in the Act, but does not include a strata or survey strata lot.
Metropolitan Region Scheme:	means the Metropolitan Region Scheme made pursuant to the former Metropolitan Region Town Planning Scheme Act 1959 published in the <i>Government Gazette</i> of the 9th August 1963 and as amended from time to time.
Minister:	means the Minister for Planning and Infrastructure or the Minister of the Western Australian Government responsible for town planning.
Net Lettable Area (nla):	means the area of all floors within the internal finished surfaces of permanent walls but excludes the following areas— <ul style="list-style-type: none"> (a) all stairs, toilets, cleaners cupboards, lift shafts and motor rooms, escalators, tea rooms and plant rooms, and other service areas; (b) lobbies between lifts facing other lifts serving the same floor; (c) areas set aside as public space or thoroughfares and not for the exclusive use of occupiers of the floor or building; (d) areas set aside for the provision of facilities or services to the floor or building where such facilities are not for the exclusive use of occupiers of the floor or building.
Non-Conforming Use:	has the same meaning as it has in section 172 of the Act.
Owner:	in relation to any land, includes the Crown and every person who jointly or severally whether at law or in equity— <ul style="list-style-type: none"> (a) is entitled to the land for an estate in fee simple in possession; or (b) is a person to whom the Crown has lawfully contracted to grant the fee simple of that land; or (c) is a lessor or licensee from the Crown; or (d) is entitled to receive or is in receipt of, or if the land were let to a tenant, would be entitled to receive, the rents and profits from the land, whether as a beneficial owner, trustee, mortgagee in possession, or otherwise.
Peel-Harvey Coastal Plain Catchment:	means all of the land within the Scheme Area located within the administrative boundary of the Peel-Harvey Coastal Plain Catchment, as set out in the Commission's State Planning Policy No.2.1.

Place:	means an area of land sufficiently identified by survey, description or otherwise as to be readily ascertainable and includes— <ul style="list-style-type: none"> (a) an area of land situated below low water mark on the seashore or on the bank of tidal waters, or in the bed of any watercourse, lake or estuary; (b) any works or buildings situated there, their contents relevant to the purpose of this Scheme and such of their immediate surroundings as may be required for the purposes of the conservation of those works or buildings; and (c) as much of the land beneath the place as is required for the purposes of its conservation.
Plot Ratio:	means the ratio of the gross total of the areas of all floors to the area of land within the site boundaries and in calculating the gross total of the areas of all floors the areas shall be measured over any walls but shall not include lift shafts, stairs or stair landings, machinery rooms, air conditioning, equipment rooms, non-habitable floor space in basements, areas used exclusively for the parking of wheeled vehicles at or below ground level, lobbies or amenities common to more than one dwelling or private open balconies.
Policy:	means a planning policy made in accordance with clause 8.9.
Potable Water:	means water in which the levels of physical, chemical and microbiological constituents do not exceed the maximum permissible levels set out in “International Standards for Drinking Water” published by the World Health Organisation.
Precinct Policy Plan:	means a published policy of the Council relating specifically to a precinct of the City Centre identified in the Development Policy Plan, the specific requirements for such a policy being detailed in the Development Policy Plan.
Predominant Use:	means the primary use of premises to which all other uses carried out on the premises are subordinate, incidental or ancillary.
Premises:	means land or buildings.
Public Authority:	shall have the same meaning given to it in and for the purposes of the Act.
Reserve:	means any land reserved for a public purpose.
Residential Design Codes:	means State Planning Policy 3.1 Residential Design Codes (Variation 1) as amended from time to time.
Restoration:	means any work or process on, at or in respect of a building, structure or place which wholly or partly brings back the building structure or place to its original condition or which reinstates its historic or natural character either by rebuilding or repairing its fabric or by removing accretions or additions.
Retail:	means the sale or hire of goods or services to the public.
Rural Land Strategy:	means the Rural Land Strategy, as adopted by Council, together with any amendments and associated policies and performance standards.
Schedule:	means a schedule to the Scheme.
Scheme Area:	means the area to which the Scheme applies as described in clause 1.3.
Special Use Zones:	apply to special categories of land use which do not comfortably sit within any other zone in the Scheme.
Substantially Commenced:	means that work or development the subject of planning approval has been begun by the performance of some substantial part of that work or development.
Waterfront Village Policy:	means the Rockingham Beach Waterfront Village Policy, as adopted by Council, together with any amendments and associated policies and performance standards.
Waterway:	means an artificial waterway in and for the purposes of the Act.
Wholesale:	means the sale of any goods or materials to be sold by others.
Zone:	means a portion of the Scheme area shown on the map by distinctive colouring, patterns, symbols, hatching or edging for the purpose of indicating the restrictions imposed by the Scheme on the use and development of land, but does not include a reserve or special control area.

2. Land Use Interpretations

In the Scheme—

Abattoir:	means a premises used for the slaughter of animals for human consumption and the treatment of carcasses, offal and by-products.
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Agriculture—Extensive:	means premises used for the raising of stock or crops but excludes agriculture—intensive, piggeries, poultry farms and livestock holding facility.
Agriculture—Intensive:	means the use of land for the purposes of trade, commercial reward or gain, including such building and earthworks, normally associated with the following— <ul style="list-style-type: none"> (a) the production of grapes, vegetables, flowers, exotic and native plants, fruit or nuts; (b) the establishment and operation of plant or fruit nurseries; (c) the development of land for irrigated fodder production or irrigated pasture (including turf farms); (d) The development of land for the keeping, rearing or fattening of livestock in feedlots; (e) aquaculture.
Amusement Parlour:	means premises open to the public, where the predominant use is for amusement by means of amusement machines and where there are more than two amusement machines operating within the premises.
Ancillary Accommodation:	has the same meaning as is given to that term in the Residential Design Codes.
Bed and Breakfast:	means a dwelling, used by a resident of the dwelling, to provide accommodation for persons away from their normal place of residence on a short-term commercial basis and includes the provision of breakfast.
Betting Agency:	means an office or totalisator agency established under the <i>Racing and Wagering Western Australia Act 2003</i> .
Camping Area:	means land used for the lodging of persons in tents or other temporary shelter.
Car Wash:	means premises where the primary use is the washing of motor vehicles.
Caravan Park:	has the same meaning as in the <i>Caravan Parks and Camping Grounds Act 1995</i> .
Caretaker's Dwelling:	means a dwelling on the same site as a building, operation, or plant, and occupied by a supervisor of that building, operation or plant.
Carpark:	means premises used primarily for parking vehicles whether open to the public or not but does not include any part of a public road used for parking or for a taxi rank, or premises in which cars are displayed for sale.
Cattery:	means the use of an approved outbuilding constructed in accordance with the City of Rockingham Health Local Laws 1996 for the purpose of breeding or boarding on behalf of any other person or for keeping more than two (2) cats over the age of three (3) months.
Child Care Premises:	means premises used to provide a child care service within the meaning of the <i>Child Care Services Act 2007</i> , but does not include a Family Day Care Centre.
Cinema/Theatre:	means premises where the public may view a motion picture or theatrical production.
Club Premises:	means premises used or designed for use by a legally constituted club or association or other body of persons united by a common interest.
Communications Antennae—Commercial:	means any mast, antennae, aerial, satellite dish and other associated equipment used for the reception or transmission of television or radio signals or for other electronic communication where its vertical or horizontal dimensions exceed two metres but does not include telecommunications infrastructure
Communications Antennae—Domestic:	means any mast, antennae, aerial, satellite dish and other associated equipment used for the reception or transmission of television or radio signals or for other electronic communications where such device is consistent with the predominant style and size of other such devices in the locality, and provided that neither its vertical nor horizontal dimensions exceed two metres.
Community Use/Purpose:	means the use of premises designed or adapted primarily for the provision of educational, social or recreational facilities and services by organisations involved in activities for community benefit.
Consulting Rooms:	means premises used by no more than two health consultants for the investigation or treatment of human injuries or ailments and for general outpatient care.
Contractor's Yard:	means premises used for the storage of contractor's plant and equipment, including prefabricated or transportable buildings and materials.

Convenience Store:	means premises— <ul style="list-style-type: none">(a) used for the retail sale of convenience goods commonly sold in supermarkets, delicatessens or newsagents, or the retail sale of petrol and those convenience goods;(b) operated during hours which include, but may extend beyond, normal trading hours;(c) which provide associated parking; and(d) the floor area of which does not exceed 300m² net lettable area.
Corrective Institution:	means premises used to hold and reform persons committed to it by a court, such as a prison or other type of detention facility.
Display Home Centre:	means a group of two or more dwellings which are intended to be open for public inspection as examples of dwelling design.
Dog Kennels:	means premises used for the boarding and breeding of dogs where such premises are licensed or required to be licensed by the Council under the City of Rockingham Local Law Relating to Dogs; and may include the sale of dogs where such use is incidental to the predominant use.
Dry Cleaning Premises:	means premises used for the cleaning of garments and other fabrics by chemical processes.
Dwelling:	means a building or portion of a building being used or intended, adapted or designed to be used for the purpose of human habitation on a permanent basis by— <ul style="list-style-type: none">(a) a single person;(b) a single family; or(c) no more than six persons who do not comprise a single family.
Educational Establishment:	means premises used for the purposes of education and includes a school, tertiary institution, business college, academy or other educational centre.
Exhibition Centre:	means premises used for the display, or display and sale, of materials of an artistic, cultural or historical nature, and includes a museum or art gallery.
Family Day Care Centre:	means premises used to provide a family day care service within the meaning of the <i>Child Care Services Act 2007</i> .
Fast Food Outlet:	means premises used for the preparation, sale and serving of food to customers in a form ready to be eaten without further preparation, primarily off the premises, but does not include a lunch bar.
Fuel Depot:	means premises used for the storage and sale in bulk of solid or liquid gaseous fuel, but does not include a service station and specifically excludes the sale by retail into a vehicle for final use of such fuel from the premises.
Funeral Parlour:	means premises occupied by an undertaker where bodies are stored and prepared for burial or cremation, and may include facilities to conduct memorial services.
Health Studio:	means premises designed and equipped for physical exercise, recreation and sporting activities including outdoor recreation.
Home Business:	means a business, service or profession carried out in a dwelling or on land around a dwelling by an occupier of the dwelling which— <ul style="list-style-type: none">(a) does not employ more than 2 people not members of the occupier's household;(b) will not cause injury to or adversely affect the amenity of the neighbourhood;(c) does not occupy an area greater than 50 square metres;(d) does not involve the retail sale, display or hire of goods of any nature;(e) in relation to vehicles and parking, does not result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic volumes in the neighbourhood, and does not involve the presence, use or calling of a vehicle more than 3.5 tonnes tare weight; and(f) does not involve the use of an essential service of greater capacity than normally required in the zone.
Home Occupation:	means an occupation carried out in a dwelling or on land around a dwelling by an occupier of the dwelling which— <ul style="list-style-type: none">(a) does not employ any person not a member of the occupier's household;(b) will not cause injury to or adversely affect the amenity of the neighbourhood;

- (c) does not occupy an area greater than 20 square metres;
 - (d) does not display a sign exceeding 0.2 square metres;
 - (e) does not involve the retail sale, display or hire of goods of any nature;
 - (f) in relation to vehicles and parking, does not result in the requirement for a greater number of parking facilities than normally required for a single dwelling or an increase in traffic volume in the neighbourhood, does not involve the presence, use or calling of a vehicle more than 2 tonnes tare weight, and does not include provision for the fuelling, repair or maintenance of motor vehicles; and
 - (g) does not involve the use of an essential service of greater capacity than normally required in the zone.
- Home Office:** means a home occupation limited to a business carried out solely within a dwelling by a resident of the dwelling but which does not entail clients or customers travelling to and from the dwelling, involve any advertising signs on the premises or require any external change to the appearance of the dwelling.
- Homestore:** means a shop used for the sale of daily grocery needs to persons in the immediate locality, with a net lettable area not exceeding 150m², attached to a dwelling and which is operated by a person resident in the dwelling.
- Hospital:** means premises in which persons are admitted and lodged for medical treatment or care and includes a maternity hospital.
- Hospital—Special Purposes:** means a building used or designed for use wholly or principally for the purpose of a hospital or sanatorium for the treatment of infectious or contagious diseases, or hospital for the treatment of the mentally ill or similar use.
- Hotel:** means premises providing accommodation the subject of a hotel licence under the *Liquor Control Act 1988*, and may include a betting agency on those premises, but does not include a tavern or motel.
- Industry:** means premises used for the manufacture, dismantling, processing, assembly, treating, testing, servicing, maintenance or repairing of goods, products, articles, materials or substances and includes premises on the same land used for—
- (a) the storage of goods;
 - (b) the work of administration or accounting;
 - (c) the selling of goods by wholesale or retail; or
 - (d) the provision of amenities for employees, incidental to any of those industrial operations;
- Industry—Cottage:** means a trade or light industry producing arts and craft goods which does not fall within the provisions of a “home occupation” and which, in the opinion of Council—
- (a) does not cause injury to or adversely affect the amenity of the neighbourhood;
 - (b) where operated in a Residential Zone, does not employ any person other than a member of the occupier’s household;
 - (c) is conducted in an out-building which is compatible with the principal uses to which land in the zone in which it is located may be put;
 - (d) does not occupy an area in excess of 50m²;
 - (e) does not display a sign exceeding 0.2m² in area.
- Industry—Extractive:** means an industry which involves—
- (a) the extraction, quarrying or removal of sand, gravel, clay, soil, rock, stone, minerals, or similar substance from the land, and includes the treatment, storage and management of those materials, or the manufacture of products from those materials on, or adjacent to, the land from which the materials are extracted;
 - (b) the production of salt by the evaporation of salt water.
- Industry—General:** means an industry other than a cottage, extractive, general (licensed), hazardous, light, noxious, rural or service industry.
- Industry—General (Licensed):** means an industry which is a category of Prescribed Premises set out in Schedule 1 of the *Environmental Protection Regulations 1987* or premises subject to registration set out in Schedule 2 of the *Environmental Protection Regulations 1987*, but does not include an abattoir, agriculture—intensive, industry—extractive, industry—

	hazardous, industry—noxious, industry—rural, landfill (Prescribed Premises Category 63, 64, 65 and 66), livestock holding facility, piggery or stockyards.
Industry—Hazardous:	means an industry which, when in operation and when all measures proposed to minimise its impact on the locality have been employed (including measures to isolate the industry from existing or likely future development on other land in the locality), would pose a significant risk in relation to the locality, to human health, life or property, or to the biophysical environment. Examples of such industry include oil refineries and chemical plants but would generally exclude light, rural or service industries.
Industry—Light:	means an industry— <ol style="list-style-type: none"> (a) in which the processes carried on, the machinery used, and the goods and commodities carried to and from the premises do not cause any injury to or adversely affect the amenity of the locality; and (b) the establishment or conduct of which does not, or will not, impose an undue load on any existing or proposed service for the supply or provision of essential services.
Industry—Noxious:	means an industry in which the processes involved constitute an offensive trade within the meaning of the <i>Health Act 1911</i> and/or the City of Rockingham Health Local Laws 1996, but does not include an abattoir, dry cleaning premises, laundromat or piggery.
Industry—Rural:	means an industry handling, treating, processing or packing primary products grown, reared or produced in the locality, and a workshop servicing plant or equipment used for rural purposes in the locality.
Industry—Service:	means a light industry carried out from premises which may have a retail shop front and from which goods manufactured on the premises may be sold; or premises having a retail shop front and used as a depot for receiving goods to be serviced.
Landscape Supply Yard:	means premises used for the storage and sale in bulk of sand, soil, stone, gravel, mulch, woodchips, wood, paving slabs, limestone blocks and other such materials.
Laundromat:	means a building, open to the public in which coin-operated or other washing machines, with or without provision for drying clothes, are available for use.
Livestock Holding Facility:	means the holding, housing or keeping of cattle, sheep, pigs, goats, horses or the like, whether in open or enclosed pens, yards, feedlots or otherwise in substantial numbers prior to sale, transport or export.
Lodging House:	shall have the same meaning as is given to it in and for the purposes of the <i>Health Act 1911</i> (as amended).
Lunch Bar:	means premises or part of premises used for the sale of takeaway food (in a form ready to be consumed without further preparation) within industrial or commercial areas.
Market:	means premises used for the display and sale of goods from stalls by independent vendors.
Medical Centre:	means premises, other than a hospital, used by one or more health consultant(s) for the investigation or treatment of human injuries or ailments and for general outpatient care (including preventative care, diagnosis, medical and surgical treatment, and counselling), and including the ancillary sale to patients of pharmaceutical products and medicines but excluding the sale of toiletries, foodstuffs, liquor and beverages, clothing and apparel, magazines, newspapers, books, paper products, china, glassware, domestic hardware or items of personal adornment.
Motel:	means premises used to accommodate patrons in a manner similar to a hotel but in which specific provision is made for the accommodation of patrons with motor vehicles and may comprise premises licensed under the <i>Liquor Control Act 1988</i> .
Motor Vehicle and Marine Sales Premises:	means premises used for the display, sale and/or hire of new or second hand motorcycles, cars, trucks, caravans and boats or any one or more of them and may include, the servicing of motor vehicles sold from the site.
Motor Vehicle Repair Station:	means premises used for or in conjunction with— <ol style="list-style-type: none"> (a) electrical and mechanical repairs, or overhauls, to vehicles; or (b) repairs to tyres, but does not include premises used for recapping or retreading of tyres, panel beating, spray painting or chassis reshaping.

Motor Vehicle Wrecking Premises:	means premises used for the storage, breaking up or dismantling of motor vehicles and includes the sale of second-hand motor vehicle accessories and spare parts.
Night Club:	means premises— <ul style="list-style-type: none"> (a) used for entertainment with or without eating facilities; and (b) licensed under the <i>Liquor Control Act 1988</i>.
Nursing Home:	means any building used for the medical treatment or care of sick persons, whether resident or not, but does not include a Medical Centre or hospital.
Office:	means premises used for administration, clerical, technical, professional or other like business activities.
Open Air Display:	means the use of land as a site for the open air display and/or sale and hire of goods and equipment.
Piggery:	shall have the same meaning given to it in and for the purposes of the <i>Health Act 1911</i> .
Plant Nursery:	means premises used for the propagation, rearing and sale of plants, and the storage and sale of products associated with horticultural and garden activities.
Poultry Farm:	means premises used for hatching, rearing or keeping of poultry for either egg or meat production which does not constitute an offensive trade within the meaning of the <i>Health Act 1911</i> .
Private Recreation:	means premises used for indoor or outdoor leisure, recreation or sport which are not normally open to the public without charge.
Produce Store:	means premises wherein fodders, fertilisers and grain are displayed and offered for sale.
Public Amusement:	means premises used for the amusement or entertainment of the public, with or without charge.
Public Utility:	means any work or undertaking constructed or maintained by a public authority or the Council as may be required to provide water, sewerage, electricity, gas, drainage, communications or other similar services.
Public Worship—Place Of:	means premises used for religious activities such as a church, chapel, mosque, synagogue or temple.
Reception Centre:	means premises used by parties for functions on formal or ceremonious occasions, but not for unhosted use for general entertainment purposes.
Residential Building:	has the same meaning as in the Residential Design Codes.
Restaurant:	means premises where the predominant use is the sale and consumption of food and drinks on the premises and where seating is provided for patrons, and includes a restaurant licensed under the <i>Liquor Control Act 1988</i> .
Restricted Premises:	means any premises, part or parts thereof, used or designed to be used primarily for the sale by retail or wholesale, or the offer for hire, loan or exchange, or the exhibition, display or delivery of— <ul style="list-style-type: none"> (a) publications that are classified as restricted under the <i>Classification (Publications, Films and Computer Games) Enforcement Act 1996</i>; (b) materials, compounds, preparations or articles which are used or intended to be used primarily in or in connection with any form of sexual behaviour or activity.
Rural Pursuit:	means any premises used for— <ul style="list-style-type: none"> (a) the rearing or agistment of animals; (b) the stabling, agistment or training of horses; (c) the growing of trees, plants, shrubs or flowers for replanting in domestic, commercial or industrial gardens; or (d) the sale of produce grown solely on the lot, but does not include agriculture—extensive or agriculture—intensive.
Salvage Yard:	means premises used for the storage and sale of materials salvaged from the erection, demolition, dismantling or renovating of, or fire or flood damage to structures including (but without limiting the generality of the foregoing) buildings, machinery, vehicles and boats.
Sawmill:	means premises where logs or large pieces of timber are sawn but does not include a joinery works unless logs or large pieces of timber are sawn therein.
Service Station:	means premises used for— <ul style="list-style-type: none"> (a) the retail sale of petroleum products, motor vehicle accessories and goods of an incidental/ convenience retail nature; and

- (b) the carrying out of greasing, tyre repairs and minor mechanical repairs to motor vehicles,
but does not include premises used for a transport depot, panel beating, spray painting, major repairs or wrecking.
- Shop: means premises used to sell goods by retail, hire goods, or provide services of a personal nature (including a hairdresser or beauty therapist) but does not include a showroom or fast food outlet.
- Short Stay Accommodation: means the occupation of a chalet, caravan, camp, or any other form of tourist accommodation approved by the Council, by persons for a period of not more than a total of three months in any one twelve month period.
- Showroom: means premises, or part thereof, used or intended for use for the purpose of displaying or offering for sale by wholesale or retail, automotive parts and accessories, camping equipment, electrical light fittings, equestrian supplies, floor coverings, furnishings, furniture, household appliances, party supplies, swimming pools, hardware supplies or goods of a bulky nature but does not include the sale by retail of foodstuffs, liquor or beverages, items of clothing or apparel, magazines, newspapers, books or paper products, china, glassware or domestic hardware, or items of personal adornment.
- Single Short Stay Accommodation: means the occupation of a single house by any form of tourist accommodation approved by the Council, by persons for not more than three months in any one twelve month period.
- Small Bar: means premises licensed as a small bar under the *Liquor Control Act 1988* and used to sell liquor for consumption on the premises, but not including the sale of packaged liquor; and with the number of persons who may be on the licensed premise limited to a maximum of 120.
- Stockyards: means any land, building or other structure used for the holding and/or sale of animal stock.
- Tavern: means premises licensed as a tavern under the *Liquor Control Act 1988* and used to sell liquor for consumption on the premises.
- Telecommunications Infrastructure: means any part of the infrastructure of a telecommunications network and includes any line, equipment, apparatus, tower, antenna, tunnel, duct, hole, pit or other structure used, or for use, in or in connection with a telecommunications network.
- Trade Display: means premises used for the display of trade goods and equipment for the purposes of advertisement.
- Transport Depot: means premises used for the garaging of motor vehicles used or intended to be used for carrying goods or persons for hire or reward or for any consideration; or for the transfer of goods or persons from one such motor vehicle to another of such motor vehicle and includes maintenance, management and repair of the vehicles used, but not of other vehicles.
- Veterinary Clinic: means a building in which a veterinary surgeon or veterinarian treats the minor ailments of domestic animals and household pets as patients but in which animals or pets do not remain overnight, and may include a dispensary of medications incidental thereto.
- Veterinary Hospital: means premises used in connection with the treatment of animal injuries and ailments, and includes the care and accommodation of animals during or after such treatment.
- Warehouse: means premises used to store or display goods and may include sale by wholesale.
- Wildlife Park: means premises used for the keeping, breeding and display of fauna and/or flora and the term includes a zoo but does not include dog kennels, cattery or keeping, breeding or showing of domestic pets.

6. Including 'Communications Antennae—Domestic' as a permitted ('P') use in the following provisions—

- (i) Provision 3 of Schedule No.4—Special Rural Zones relating to Planning Unit 2 of the Rural Land Strategy;
- (ii) Provision 3 of Schedule No.4—Special Rural Zones relating to Planning Unit 3 of the Rural Land Strategy;
- (iii) Provision 3 of Schedule No.4—Special Rural Zones relating to Planning Unit 4 of the Rural Land Strategy;
- (iv) Provision 3 of Schedule No.4—Special Rural Zones relating to Planning Unit 5 of the Rural Land Strategy;
- (v) Provision 3 of Schedule No.4—Special Rural Zones relating to Planning Unit 6 of the Rural Land Strategy;
- (vi) Provision 3 of Schedule No.4—Special Rural Zones relating to Planning Unit 7 of the Rural Land Strategy;

- (vii) Provision 3 of Schedule No.5—Special Residential Zones relating to Planning Unit 2 of the Rural Land Strategy;
- (viii) Provision 3 of Schedule No.5—Special Residential Zones relating to Planning Unit 3 of the Rural Land Strategy; and
- (ix) Provision 2 of Schedule No.5—Special Residential Zones relating to Warnbro Dunes.

7. Replacing the text in the “Previous text” column with the text in the “New text” column of the following table—

	Clause	Previous text	New text
1.	Clause 1.10.1(a)	Town Planning and Development Act	<i>Planning and Development Act 2005</i> (“the Act”)
2.	Clause 2.1.1	Metropolitan Region Town Planning Scheme Act 1959	Act
3.	Clause 2.4.2	Section 32	section 6
4.	Clause 2.11.4	section 12	Part 11 Division 2
6.	Clause 4.1.2(a)	means the Residential Design Codes set out in Appendix 2 to the Statement of Planning Policy No. 3.1, together with any amendments thereto	means State Planning Policy 3.1 Residential Design Codes (Variation 1) as amended from time to time
7.	Clause 4.2.1	In clause 4.2	In clauses 4.2 and 4.23
8.	Clause 4.2.10	Part V of the Town Planning Act	Part 14 of the Act
9.	Clause 4.2.10.2	Part V of the Town Planning Act	Part 14 of the Act
10.	Clause 4.3.7(f)	Part V of the Town Planning Act	Part 14 of the Act
11.	Clause 4.5.2(a)	Baldivis Town Centre Policy adopted by the Council and otherwise referred to as Planning Policy No. 6.12	Baldivis Town Centre Policy adopted by the Council
12.	Clause 4.5.4(f)	Part V of the Town Planning Act	Part 14 of the Act
13.	Clause 4.9.4.1(a)	‘Industry: Rural’, ‘Motor Vehicle Wrecking Premises’	‘Industry: Rural’, ‘Landscape Supply Yard’, ‘Motor Vehicle Wrecking Premises’
14.	Clause 4.9.4.2(a)	‘Industry: Service’, ‘Motor Vehicle Wrecking Premises’,	‘Industry: Service’, ‘Landscape Supply Yard’, ‘Motor Vehicle Wrecking Premises’,
15.	Clause 4.11.2(c)	Intensive agriculture	Agriculture—intensive
16.	Clause 4.11.2(c)	Department of Agriculture	Department of Agriculture and Food
17.	Clause 4.11.2(e)	Peel-Harvey Coastal Plain Catchment—Statement of Planning Policy No. 2.1	State Planning Policy No.2.1—Peel-Harvey Coastal Plain Catchment
18.	Clause 4.11.2(f)	Water Corporation	Department of Water
19.	Clause 4.11.5(a)	The Council, with the agreement of the Commission, may modify the Rural Land Strategy	The Council, following consultation with and having due regard to the comments and recommendations of the Commission, may modify the Rural Land Strategy
20.	Clause 4.11.5(b)	Council and the Commission,	Council,
21.	Clause 4.12.1(b)	Council and the Commission	Council
22.	Clause 4.15.1	Tables No.3 and No.4	Table No.3
23.	Table No.2 footnote	Refer to Table No.3 for recommended carparking provision within the City Centre and Baldivis Town Centre zones and Table No.4 for the Waterfront Village	Refer to Table No.3 for recommended carparking provision within the City Centre and Baldivis Town Centre zones

	Clause	Previous text	New text
24.	Table No.3 footnote	Planning Policy No.8.1—Rockingham City Centre Development Policy Plan	the Development Policy Plan
25.	Clause 4.16.1(b)	zone and the Home Occupation Policy.	zone.
26.	Clause 4.17.1(b)	zone and the Home Business Policy.	zone.
27.	Clause 4.21.1	Section 7A4 of the Town Planning and Development Act	section 86 of the Act
28.	Clause 4.22.1	Liquor Licensing Act 1988	Liquor Control Act 1988
29.	Clause 5.1.1	Statement of Planning Policy	State Planning Policy
30.	Clause 5.1.2	Statement of Planning Policy	State Planning Policy
31.	Clause 5.1.3	Town Planning and Development Act 1928 (as amended), clearing of land and the commencement of Intensive Agriculture	Act, clearing of land and the commencement of agriculture—intensive
32.	Clause 5.1.4	Intensive Agriculture	agriculture—intensive
33.	Clause 5.1.4(b)	Statement of Planning Policy	State Planning Policy
34.	Clause 5.1.4(c)	Agriculture WA, Water and Rivers Commission	Department of Agriculture and Food, Department of Water
35.	Clause 5.5.2(b)	Development Control Area	Development Contribution Area
36.	Clause 5.5.11	section 13 of the Town Planning and Development Act	sections 190 and 191 of the Act
37.	Clause 6.1.2(a)	in a reserve	reserved under the Scheme
38.	Clause 6.1.3	Metropolitan Region Town Planning Scheme Act 1959	Act
39.	Clause 6.1.3(a)	section 35C of the Metropolitan Region Town Planning Scheme Act 1959	section 112 of the Act
40.	Clause 6.1.3(c)	Metropolitan Region Town Planning Scheme Act 1959 (as amended)	Metropolitan Region Scheme
41.	Clause 6.4.2	section 20 of the Western Australian Planning Commission Act 1985	section 16 of the Act
42.	Clause 6.4.2(i)	Metropolitan Region Town Planning Scheme Act 1959	Act
43.	Clause 6.13	Part V of the Act	Part 14 of the Act
44.	Clause 6.6(c)	Statement of Planning Policy	State Planning Policy
45.	Clause 6.6(u)	whether adequate provision has been made for access for pedestrians and cyclists;	whether adequate provision has been made for access for pedestrians and cyclists, and the provision of bicycle parking and end-of-trip facilities;
46.	Clause 8.1.1(c)	Town Planning and Development Act	Act
47.	Clause 8.2.4	Part V of the Town Planning and Development Act	Part 14 of the Act
48.	Clause 8.3.2	section 10	section 214
49.	Clause 8.4.1	section 10	section 214
50.	Clause 8.4.2	section 10 (2)	section 215(2)
51.	Clause 8.5(b)	section 10	section 223
52.	Clause 8.6.1	section 11(1)	section 173
53.	Clause 8.8.1	Part 5	Part 14
54.	Schedule No.4 (Planning Unit 2) Provision 3(c)(iv)	Intensive Agriculture	Agriculture—Intensive

	Clause	Previous text	New text
55.	Schedule No.4 (Planning Unit 2) Provision 7	Where building envelopes are designated, no clearing or development, other than for fire management purposes or to construct a vehicle accessway, which has received the prior written approval of the Council, shall be approved outside the designated building envelopes.	(a) Where the Council considers that local environmental conditions are significant enough to warrant restriction to development and vegetation clearing, the Council require a person to submit for the Council's approval a plan identifying the location of building envelopes on each lot at the time of subdivision. The location and size of the building envelopes must be to the satisfaction of the Council. (b) Where building envelopes are approved in relation to any lot, no clearing or development, other than for fire management purposes or to construct a vehicle accessway that has received the prior written approval of the Council, shall be approved outside the designated building envelope. (c) The size and location of an approved building envelope may be varied with the approval of the Council.
56.	Schedule No.4 (Planning Unit 2) Provision 9	Water and Rivers Commission	Department of Water
57.	Schedule No.4 (Planning Unit 2) Provision 10	Water and Rivers Commission	Department of Water
58.	Schedule No.4 (Planning Unit 2) Provision 15(c)	"Planning for Bushfire"	"Planning for Bushfire Protection"
59.	Schedule No.4 (Planning Unit 2) Provision 16	Bush Fires Board of Western Australia	Fire and Emergency Services Authority
60.	Schedule No.4 (Planning Unit 2) Provision 20	Department of Environment and Conservation Environmental Protection (Swan Coastal Lakes) Policy 1992 and development within the Peel-Harvey Catchment Area shall comply with Statement of Planning Policy	Environmental Protection (Swan Coastal Plain Lakes) Policy 1992 and development within the Peel-Harvey Catchment Area shall comply with State Planning Policy
61.	Schedule No.4 (Planning Unit 3) Provision 3(b)(v)	Communications Antennae	Communications Antennae—Commercial
62.	Schedule No.4 (Planning Unit 3) Provision 3(c)(iv)	Intensive Agriculture	Agriculture—Intensive
63.	Schedule No.4 (Planning Unit 3) Provision 3(d)(i)	Intensive Agriculture	Agriculture—Intensive

	Clause	Previous text	New text
64.	Schedule No.4 (Planning Unit 3) Provision 7	Where building envelopes are designated, no clearing or development, other than for fire management purposes or to construct a vehicle accessway, which has received the prior written approval of the Council, shall be approved outside the designated building envelopes.	(a) Where the Council considers that local environmental conditions are significant enough to warrant restriction to development and vegetation clearing, the Council require a person to submit for the Council's approval a plan identifying the location of building envelopes on each lot at the time of subdivision. The location and size of the building envelopes must be to the satisfaction of the Council. (b) Where building envelopes are approved in relation to any lot, no clearing or development, other than for fire management purposes or to construct a vehicle accessway that has received the prior written approval of the Council, shall be approved outside the designated building envelope. (c) The size and location of an approved building envelope may be varied with the approval of the Council.
65.	Schedule No.4 (Planning Unit 3) Provision 10	Water and Rivers Commission	Department of Water
66.	Schedule No.4 (Planning Unit 3) Provision 11	Water and Rivers Commission	Department of Water
67.	Schedule No.4 (Planning Unit 3) Provision 19(c)	"Planning for Bushfire"	"Planning for Bushfire Protection"
68.	Schedule No.4 (Planning Unit 3) Provision 20	Bush Fires Board of Western Australia	Fire and Emergency Services Authority
69.	Schedule No.4 (Planning Unit 3) Provision 22(c)	"Planning for Bushfire"	"Planning for Bushfire Protection"
70.	Schedule No.4 (Planning Unit 3) Provision 25	Department of Environment and Conservation Environmental Protection (Swan Coastal Plain Lakes) Policy 1992	Environmental Protection (Swan Coastal Plain Lakes) Policy 1992
71.	Schedule No.4 (Planning Unit 4) Provision 3(c)(iv)	Intensive Agriculture	Agriculture—Intensive
72.	Schedule No.4 (Planning Unit 4) Provision 8	Where building envelopes are designated, no clearing or development, other than for fire management purposes or to construct a vehicle accessway, which has received the prior written approval of the Council, shall be approved outside the designated building envelopes.	(a) Where the Council considers that local environmental conditions are significant enough to warrant restriction to development and vegetation clearing, the Council require a person to submit for the Council's approval a plan identifying the location of building envelopes on each lot at the time of subdivision.

	Clause	Previous text	New text
			<p>The location and size of the building envelopes must be to the satisfaction of the Council.</p> <p>(b) Where building envelopes are approved in relation to any lot, no clearing or development, other than for fire management purposes or to construct a vehicle accessway that has received the prior written approval of the Council, shall be approved outside the designated building envelope.</p> <p>(c) The size and location of an approved building envelope may be varied with the approval of the Council.</p>
73.	Schedule No.4 (Planning Unit 4) Provision 11	Water and Rivers Commission	Department of Water
74.	Schedule No.4 (Planning Unit 4) Provision 12	Water and Rivers Commission	Department of Water
75.	Schedule No.4 (Planning Unit 4) Provision 17(c)	“Planning for Bushfire”	“Planning for Bushfire Protection”
76.	Schedule No.4 (Planning Unit 4) Provision 18	Bush Fires Board of Western Australia	Fire and Emergency Services Authority
77.	Schedule No.4 (Planning Unit 4) Provision 22	Department of Environment and Conservation Environmental Protection (Swan Coastal Plain Lakes) Policy 1992	Environmental Protection (Swan Coastal Plain Lakes) Policy 1992
78.	Schedule No.4 (Planning Unit 5) Provision 3(e)(iv)	Intensive Agriculture	Agriculture—Intensive
79.	Schedule No.4 (Planning Unit 5) Provision 7	Where building envelopes are designated, no clearing or development, other than for fire management purposes or to construct a vehicle accessway, which has received the prior written approval of the Council, shall be approved outside the designated building envelopes.	<p>(a) Where the Council considers that local environmental conditions are significant enough to warrant restriction to development and vegetation clearing, the Council require a person to submit for the Council’s approval a plan identifying the location of building envelopes on each lot at the time of subdivision. The location and size of the building envelopes must be to the satisfaction of the Council.</p> <p>(b) Where building envelopes are approved in relation to any lot, no clearing or development, other than for fire management purposes or to construct a vehicle accessway that has received the prior written approval of the Council, shall be approved outside the designated building envelope.</p> <p>(c) The size and location of an approved building envelope may be varied with the approval of the Council.</p>

	Clause	Previous text	New text
80.	Schedule No.4 (Planning Unit 5) Provision 9	Water and Rivers Commission	Department of Water
81.	Schedule No.4 (Planning Unit 5) Provision 10	Water and Rivers Commission	Department of Water
82.	Schedule No.4 (Planning Unit 5) Provision 15(c)	“Planning for Bushfire”	“Planning for Bushfire Protection”
83.	Schedule No.4 (Planning Unit 5) Provision 16	Bush Fires Board of Western Australia	Fire and Emergency Services Authority
84.	Schedule No.4 (Planning Unit 5) Provision 20	Department of Environment and Conservation Environmental Protection (Swan Coastal Plain Lakes) Policy 1992 and development within the Peel-Harvey Catchment Area shall comply with Statement of Planning Policy	Environmental Protection (Swan Coastal Plain Lakes) Policy 1992 and development within the Peel-Harvey Catchment Area shall comply with State Planning Policy
85.	Schedule No.4 (Planning Unit 5) Provision 25(a)(i)	Department of Mineral and Energy on advice from the Department of Environment and Conservation and	Department of Consumer and Employment Protection on advice from
86.	Schedule No.4 (Planning Unit 5) Provision 25(a)(ii)	Petroleum Pipelines Act 1969-1970	Petroleum Pipelines Act 1969
87.	Schedule No.4 (Planning Unit 5) Provision 25(b)(iii)1	Department of Environment and Conservation	Department of Consumer and Employment Protection
88.	Schedule No.4 (Planning Unit 5) Provision 25(b)(iii)3	Department of Environment and Conservation	Department of Consumer and Employment Protection
89.	Schedule No.4 (Planning Unit 6) Provision 3(c)(iv)	Intensive Agriculture	Agriculture—Intensive
90.	Schedule No.4 (Planning Unit 6) Provision 7	Where building envelopes are designated, no clearing or development, other than for fire management purposes or to construct a vehicle accessway, which has received the prior written approval of the Council, shall be approved outside the designated building envelopes.	(a) Where the Council considers that local environmental conditions are significant enough to warrant restriction to development and vegetation clearing, the Council require a person to submit for the Council’s approval a plan identifying the location of building envelopes on each lot at the time of subdivision. The location and size of the building envelopes must be to the satisfaction of the Council.

	Clause	Previous text	New text
			<p>(b) Where building envelopes are approved in relation to any lot, no clearing or development, other than for fire management purposes or to construct a vehicle accessway that has received the prior written approval of the Council, shall be approved outside the designated building envelope.</p> <p>(c) The size and location of an approved building envelope may be varied with the approval of the Council.</p>
91.	Schedule No.4 (Planning Unit 6) Provision 10	Water and Rivers Commission	Department of Water
92.	Schedule No.4 (Planning Unit 6) Provision 11	Water and Rivers Commission	Department of Water
93.	Schedule No.4 (Planning Unit 6) Provision 15(c)	“Planning for Bushfire”	“Planning for Bushfire Protection”
94.	Schedule No.4 (Planning Unit 6) Provision 17	Bush Fires Board of Western Australia	Fire and Emergency Services Authority
95.	Schedule No.4 (Planning Unit 6) Provision 20	Department of Environment and Conservation Environmental Protection (Swan Coastal Lakes) Policy 1992 and development within the Peel-Harvey Catchment Area shall comply with Statement of Planning Policy	Environmental Protection (Swan Coastal Plain Lakes) Policy 1992 and development within the Peel-Harvey Catchment Area shall comply with State Planning Policy
96.	Schedule No.4 (Planning Unit 7) Provision 3(c)(iv)	Intensive Agriculture	Agriculture—Intensive
97.	Schedule No.4 (Planning Unit 7) Provision 7	Where building envelopes are designated, no clearing or development, other than for fire management purposes or to construct a vehicle accessway, which has received the prior written approval of the Council, shall be approved outside the designated building envelopes.	<p>(a) Where the Council considers that local environmental conditions are significant enough to warrant restriction to development and vegetation clearing, the Council require a person to submit for the Council’s approval a plan identifying the location of building envelopes on each lot at the time of subdivision. The location and size of the building envelopes must be to the satisfaction of the Council.</p> <p>(b) Where building envelopes are approved in relation to any lot, no clearing or development, other than for fire management purposes or to construct a vehicle accessway that has received the prior written approval of the Council, shall be approved outside the designated building envelope.</p> <p>(c) The size and location of an approved building envelope may be varied with the approval of the Council.</p>

	Clause	Previous text	New text
98.	Schedule No.4 (Planning Unit 7) Provision 9	Water and Rivers Commission	Department of Water
99.	Schedule No.4 (Planning Unit 7) Provision 10	Water and Rivers Commission	Department of Water
100.	Schedule No.4 (Planning Unit 7) Provision 15(c)	"Planning for Bushfire"	"Planning for Bushfire Protection"
101.	Schedule No.4 (Planning Unit 7) Provision 16	Bush Fires Board of Western Australia	Fire and Emergency Services Authority
102.	Schedule No.4 (Planning Unit 7) Provision 20	Department of Environment and Conservation Environmental Protection (Swan Coastal Plain Lakes) Policy 1992 and development within the Peel-Harvey Catchment Area shall comply with Statement of Planning Policy	Environmental Protection (Swan Coastal Plain Lakes) Policy 1992 and development within the Peel-Harvey Catchment Area shall comply with State Planning Policy
103.	Schedule No.4 (Planning Unit 7) Provision 24	Statement of Planning Policy	State Planning Policy
104.	Schedule No.5 (Planning Unit 3) Provision 7	Where building envelopes are designated, no clearing or development, other than for fire management purposes or to construct a vehicle accessway, which has received the prior written approval of the Council, shall be approved outside the designated building envelopes.	<p>(a) Where the Council considers that local environmental conditions are significant enough to warrant restriction to development and vegetation clearing, the Council require a person to submit for the Council's approval a plan identifying the location of building envelopes on each lot at the time of subdivision. The location and size of the building envelopes must be to the satisfaction of the Council.</p> <p>(b) Where building envelopes are approved in relation to any lot, no clearing or development, other than for fire management purposes or to construct a vehicle accessway that has received the prior written approval of the Council, shall be approved outside the designated building envelope.</p> <p>(c) The size and location of an approved building envelope may be varied with the approval of the Council.</p>
105.	Schedule No.5 (Planning Unit 3) Provision 9	Water and Rivers Commission	Department of Water
106.	Schedule No.5 (Planning Unit 3) Provision 14(c)	"Planning for Bushfire"	"Planning for Bushfire Protection"

	Clause	Previous text	New text
107.	Schedule No.5 (Planning Unit 3) Provision 15	Bush Fires Board of Western Australia	Fire and Emergency Services Authority
108.	Schedule No.5 (Planning Unit 3) Provision 18	Department of Environment and Conservation Environmental Protection (Swan Coastal Plain Lakes) Policy 1992	Environmental Protection (Swan Coastal Plain Lakes) Policy 1992
109.	Schedule No.5 (Planning Unit 3) Provision 20	Council's Planning Policy No.2.14—Development Guidelines for the Peelhurst Special Residential Estate	the Council's Development Guidelines for Special Residential Zones
110.	Schedule No.5 (Planning Unit 4) Provision 7	Where building envelopes are designated, no clearing or development, other than for fire management purposes or to construct a vehicle accessway, which has received the prior written approval of the Council, shall be approved outside the designated building envelopes.	<p>(a) Where the Council considers that local environmental conditions are significant enough to warrant restriction to development and vegetation clearing, the Council require a person to submit for the Council's approval a plan identifying the location of building envelopes on each lot at the time of subdivision. The location and size of the building envelopes must be to the satisfaction of the Council.</p> <p>(b) Where building envelopes are approved in relation to any lot, no clearing or development, other than for fire management purposes or to construct a vehicle accessway that has received the prior written approval of the Council, shall be approved outside the designated building envelope.</p> <p>(c) The size and location of an approved building envelope may be varied with the approval of the Council.</p>
111.	Schedule No.5 (Planning Unit 4) Provision 9	Water and Rivers Commission	Department of Water
112.	Schedule No.5 (Planning Unit 4) Provision 13(c)	"Planning for Bushfire"	"Planning for Bushfire Protection"
113.	Schedule No.5 (Planning Unit 4) Provision 14	Bush Fires Board of Western Australia	Fire and Emergency Services Authority
114.	Schedule No.5 (Planning Unit 4) Provision 17	Department of Environment and Conservation Environmental Protection (Swan Coastal Plain Lakes) Policy 1992	Environmental Protection (Swan Coastal Plain Lakes) Policy 1992
115.	Schedule No.5 (Warnbro Dunes) Provision 12	Bush Fires Board of Western Australia	Fire and Emergency Services Authority
116.	Schedule No.5 (Warnbro Dunes) Provision 18(c)	Council Act 1995	Local Government Act 1995

	Clause	Previous text	New text
117.	Schedule No.8 (TPS No.1—Amt 295) Condition 2-3 1.	Department of Environment and Conservation	Department of Consumer and Employment Protection
118.	Schedule No.8 (TPS No.1—Amt 295) Condition 2-3 3.	Department of Environment and Conservation	Department of Consumer and Employment Protection
119.	Schedule No.8 (TPS No.1—Amt 300) Condition 2-3 1.	Department of Environment and Conservation	Department of Consumer and Employment Protection
120.	Schedule No.8 (TPS No.1—Amt 300) Condition 2-3 3.	Department of Environment and Conservation	Department of Consumer and Employment Protection
121.	Schedule No.9 (DA20) Provision 1-1	Department of Minerals and Energy on advice from the Department of Environment and Conservation and	Department of Consumer and Employment Protection on advice from
122.	Schedule No.9 (DA20) Provision 1-2	Petroleum Pipelines Act 1969-1970	Petroleum Pipelines Act 1969
123.	Schedule No.9 (DA20) Provision 2.3 1.	Department of Environment and Conservation	Department of Consumer and Employment Protection
124.	Schedule No.9 (DA20) Provision 2.3 3.	Department of Environment and Conservation	Department of Consumer and Employment Protection
125.	Schedule No.9 (DA22) Provision 1 1.	Department of Environment and Conservation	Department of Consumer and Employment Protection
126.	Schedule No.9 (DA22) Provision 1 3.	Department of Environment and Conservation	Department of Consumer and Employment Protection
127.	Schedule No.9 (DA23) Provision 1-1	Department of Minerals and Energy on advice from the Department of Environment and Conservation and	Department of Consumer and Employment Protection on advice from
128.	Schedule No.9 (DA23) Provision 1-2	Petroleum Pipelines Act 1969-1970	Petroleum Pipelines Act 1969
129.	Schedule No.9 (DA23) Provision 2.3 1.	Department of Environment and Conservation	Department of Consumer and Employment Protection
130.	Schedule No.9 (DA23) Provision 2.3 3.	Department of Environment and Conservation	Department of Consumer and Employment Protection
131.	Schedule No.9 (DA25) Provision 2	Statement of Planning Policy No.2	State Planning Policy No.2.1

	Clause	Previous text	New text
132.	Schedule No.9 (DA25) Provision 2	Water and Rivers Commission	Department of Water
133.	Clause 4.20.1A	section 4.2	acceptable development provision 7.2.1 A1 ii
134.	Schedule No.5 (Warmbro Dunes) Provision 6	All development and effluent disposal system shall only be constructed within designated building envelopes identified at the time of subdivision.	All development and effluent disposal systems shall only be constructed within building envelopes approved at the time of subdivision.

8. Replacing Table No. 1—Zoning Table of the Scheme with the following table—

TABLE No. 1—ZONING TABLE

USE CLASS	ZONING	Residential	Development	City Centre	Waterfront Village	Baldvis Town Centre	Commercial	Special Commercial	Service Commercial	Fort Kennedy Business Enterprise	Light Industry	General Industry	Special Industry	Rural	Special Rural	Special Residential	Community Purposes	Special Uses	
		RESIDENTIAL USES																	
Ancillary Accommodation	IP	X	X	X	X	X	X	X	X	X	X	X	X	IP	As per Clause 4.12, Schedule No.4 and Plan No's 3 and 4	As per Clause 4.13, Schedule No.5 and Plan No's 5, 6 and 7	X	X	X
Bed and Breakfast	IP	X	X	X	X	X	X	X	X	X	X	X	IP						
Camping Area	X	X	X	X	X	X	X	X	X	X	X	X	A						
Caravan Park	X	X	X	X	X	X	X	X	X	X	X	X	A						
Caretaker's Dwelling	IP	IP	IP	IP	IP	IP	IP	IP	IP	IP	X	X	IP						
Display Home Centre	D	X	X	D	X	X	X	X	X	X	X	X	X						
Hotel	X	D	D	D	A	X	X	X	X	X	X	X	X						
Lodging House	A	D	D	D	X	X	X	X	X	X	X	X	A						
Motel	X	D	D	D	D	X	X	X	X	X	X	X	X						
Nursing Home	X	X	X	D	X	X	X	X	X	X	X	X	X						
Residential:																			
(a) Single House	P	D	D	D	X	X	X	X	X	X	X	X	P						
(b) Grouped Dwelling	D	D	D	D	D	X	X	X	X	X	X	X	X						
(c) Multiple Dwelling	D	D	D	D	D	X	X	X	X	X	X	X	X						
Residential Building	D	D	D	D	D	X	X	X	X	X	X	X	D						
Short Stay Accommodation	X	D	D	D	D	X	X	X	X	X	X	X	A						
COMMERCIAL USES																			
Amusement Parlour	X	D	D	D	D	X	X	X	X	X	X	X	X	As per Clause 4.12, Schedule No.4 and Plan No's 3 and 4	As per Clause 4.13, Schedule No.5 and Plan No's 5, 6 and 7	X	X	X	
Betting Agency	X	D	D	D	D	X	X	X	X	X	X	X	X						
Car Wash	X	D	D	D	D	X	D	D	D	D	X	X	X						
Child Care Premises	A	D	D	D	D	X	D	X	D	X	X	D	D						
Cinema/Theatre	X	D	D	D	D	X	D	D	X	X	X	X	X						
Club Premises	X	D	D	D	D	X	X	X	X	X	X	X	X						
Convenience Store	X	D	D	D	D	X	X	X	X	X	X	X	X						
Consulting Rooms	X	D	D	D	D	P	D	D	X	X	X	X	X						
Dry Cleaning Premises	X	D	D	D	D	X	D	D	D	X	X	X	X						
Fast Food Outlet	X	D	D	D	D	X	X	X	X	X	X	X	X						
Funeral Parlour	X	D	D	D	D	X	D	D	D	D	X	X	X						
Health Studio	X	D	D	D	D	X	D	D	D	X	X	X	X						

USE CLASS	ZONING	Residential	Development														Special Rural	Special Residential	Community Purposes	Special Uses
		Development	City Centre	Waterfront Village	Baldvins Town Centre	Commercial	Special Commercial	Service Commercial	For Kennedy Business Enterprise	Light Industry	General Industry	Special Industry	Rural	Special Rural	Special Residential	Community Purposes	Special Uses			
Home Business	D	D	D	D	X	X	X	X	X	X	X	X	D		X					
Home Occupation	D	D	D	D	X	X	X	X	X	X	X	X	D		X					
Homestore	A	X	X	X	X	X	X	X	X	X	X	X	A		X					
Industry—Cottage	D	D	D	D	X	X	X	X	X	X	X	D		X						
Laundromat	X	D	D	D	D	D	D	D	D	X	X	X		X						
Lunch Bar	X	D	D	D	D	X	D	D	D	D	X	X		X						
Market	X	D	D	D	D	X	D	D	D	X	X	X		X						
Medical Centre	X	D	D	D	D	P	D	D	X	X	X	X		D						
Night Club	X	D	D	D	A	X	X	X	X	X	X	X		X						
Office	X	D	D	D	D	P	P	P	IP	IP	IP	X		D						
Plant Nursery	X	X	X	D	X	X	D	D	D	D	X	D		X						
Private Recreation	X	D	D	D	D	X	D	D	D	X	X	D		X						
Public Amusement	X	D	D	D	D	X	D	D	D	X	X	X		X						
Reception Centre	X	D	D	D	D	X	X	X	X	X	X	A		X						
Restaurant	X	D	D	D	D	X	X	X	X	X	X	A		X						
Restricted Premises	X	A**	X	X	X	X	X	X	A	X	X	X		X						
Service Station	X	D	D	D	D	X	X	D*	X	X	X	X		X						
Shop	X	D	D	D	P	X	X	X	X	X	X	X		X						
Showroom	X	D	D	D	D	X	P	P	D	D	X	X		X						
Small Bar	X	D	D	D	D	X	X	X	X	X	X	X		X						
Tavern	X	D	D	D	D	X	X	X	X	X	X	X		X						
Veterinary Clinic	X	D	D	D	D	P	D	D	D	X	X	D		X						
Warehouse	X	D	D	D	D	X	P	P	D	D	X	X		X						
INDUSTRIAL USES																				
Contractor's Yard	X	X	X	X	X	X	X	D	D	D	X	X		X						
Fuel Depot	X	X	X	X	X	X	X	D*	D	D	D	D		X						
Industry—General	X	X	X	X	X	X	X	X	X	D	X	X		X						
Industry—General (Licensed)	X	X	X	X	X	X	X	X	X	A	A	X		X						
Industry—Hazardous	X	X	X	X	X	X	X	X	X	A	X	X		X						
Industry—Light	X	X	X	D	X	X	X	D*	P	D	X	X		X						
Industry—Noxious	X	X	X	X	X	X	X	X	X	A	X	X		X						
Industry—Service	X	X	X	D	X	X	P	D*	D	D	X	X		X						
Landscape Supply Yard	X	X	X	X	X	X	X	D*	D	D	X	A		X						
Motor Vehicle and Marine Sales Premises	X	X	X	D	X	X	P	P	D	D	X	X		X						
Motor Vehicle Repair Station	X	X	X	D	X	X	D	P*	D	D	X	X		X						
Motor Vehicle Wrecking Premises	X	X	X	X	X	X	X	P*	D	D	X	X		X						
Open Air Display	X	X	X	D	X	X	P	D	D	IP	X	X		X						
Salvage Yard	X	X	X	X	X	X	X	D*	D	D	X	X		X						
Sawmill	X	X	X	X	X	X	X	X	X	A	X	A		X						
Trade Display	X	X	X	X	X	D	D	D	D	D	X	IP		X						
Transport Depot	X	X	X	X	X	X	X	D*	D	D	X	X		X						
Veterinary Hospital	X	X	X	X	D	D	D	D	D	X	X	D		X						
Use class permissibility is to be determined with reference to the designations in the approved Structure Plan. Refer to clause 4.2.9.2 and 4.2.9.3.																				
As per Clause 4.12, Schedule No.4 and Plan No's 3 and 4																				
As per Clause 4.13, Schedule No.5 and Plan No's 5, 6 and 7																				
As per Schedule No.3																				

USE CLASS	ZONING	Residential	Development	City Centre	Waterfront Village	Baldivis Town Centre	Commercial	Special Commercial	Service Commercial	Port Kennedy Business Enterprise	Light Industry	General Industry	Special Industry	Rural	Special Rural	Special Residential	Community Purposes	Special Uses			
RURAL USES																					
Abattoir		X	Use class permissibility is to be determined with reference to the designations in the approved Structure Plan. Refer to clause 4.2.9.2 and 4.2.9.3.	X	X	X	X	X	X	X	X	X	A	A	As per Clause 4.12, Schedule No.4 and Plan No's 3 and 4	As per Clause 4.13, Schedule No.5 and Plan No's 5, 6 and 7	As per Schedule No.3	X			
Agriculture—Extensive		X		X	X	X	X	X	X	X	X	X	X	D							X
Agriculture—Intensive		X		X	X	X	X	X	X	X	X	X	X	D							X
Cattery		X		X	X	X	X	X	X	X	X	X	X	A							X
Dog Kennels		X		X	X	X	X	X	X	X	X	X	X	A							X
Industry—Extractive		X		X	X	X	X	X	X	X	X	X	X	A							X
Industry—Rural		X		X	X	X	X	X	X	D*	X	X	X	D							X
Livestock Holding Facility		X		X	X	X	X	X	X	X	X	X	X	A							X
Piggery		X		X	X	X	X	X	X	X	X	X	X	X							X
Poultry Farm		X		X	X	X	X	X	X	X	X	X	X	A							X
Produce Store		X		X	X	X	X	X	X	D	D	X	X	D							X
Rural Pursuit		X		X	X	X	X	X	X	X	X	X	X	D							X
Stockyards		X		X	X	X	X	X	X	X	X	X	X	D							X
Wildlife Park		X	X	X	X	X	X	X	X	X	X	X	A				X				
UTILITIES/COMMUNITY																					
Carpark		X	Use class permissibility is to be determined with reference to the designations in the approved Structure Plan. Refer to clause 4.2.9.2 and 4.2.9.3.	D	D	D	D	D	D	P	X	X	X	X	As per Clause 4.12, Schedule No.4 and Plan No's 3 and 4	As per Clause 4.13, Schedule No.5 and Plan No's 5, 6 and 7	As per Schedule No.3	X			
Communications Antennae—Commercial		X		D	D	D	D	D	D	D	D	D	D	D							D
Communications Antennae—Domestic		P		P	P	P	P	P	P	P	P	P	P	P							P
Community Use		D		D	D	D	D	D	D	D	D	X	X	D							D
Corrective Institution		X		X	X	X	X	X	X	X	X	X	X	X							X
Educational Establishment		X		D	D	D	D	D	D	D	X	X	X	A							D
Exhibition Centre		X		D	D	D	D	X	X	X	X	X	X	D							D
Hospital		X		X	X	D	X	X	X	X	X	X	X	X							D
Hospital—Special Purposes		X		X	X	D	X	X	X	X	X	X	X	X							A
Public Utility		D		D	D	D	D	D	D	D*	D	D	D	D							D
Public Worship—Place of		A		D	D	D	D	X	D	D	D	X	X	A							D
Telecommunications Infrastructure		X		D	D	D	D	D	D	D	D	D	D	D							D

Uses not specified above shall be dealt with under clause 3.2.4.

* Refer to sub-clauses 4.9.4.1(a), 4.9.4.1(b), 4.9.4.2(a) and 4.9.4.2(b).

** Refer to clause 4.3.11

Note: To avoid doubt, the headings “RESIDENTIAL USES”, “COMMERCIAL USES”, “INDUSTRIAL USES”, “RURAL USES” and “UTILITIES/COMMUNITY” to this table are not to be taken to be part of this Scheme.

B. SAMMELS, Mayor.
ANDREW HAMMOND, Chief Executive Officer.

DECEASED ESTATES

ZX401*

TRUSTEES ACT 1962
DECEASED ESTATES

Notice to Creditors and Claimants

In the matter of the estate of Iris Dorothy Rankine, late of Freeman Nursing Home, Rossmoyne, 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 abovenamed deceased who died on 13 February 2009, are required by the executor Warrick Ross Long care of PO Box 134, Gosnells, Western Australia to send particulars of their claims to him within one (1) month from the date of publication of this notice, after which time he may convey or distribute the assets having regard only to the claims of which he has then had notice.

(Sgd.) for WARRICK LONG.

ZX402

TRUSTEES ACT 1962
DECEASED ESTATES

Notice to Creditors and Claimants

Noelle Yvonne Thomas, late of Hilltop Lodge, 4-10 Hayman Road, Bentley, Western Australia, Pensioner, 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 January 2008 at Royal Perth Hospital in Western Australia, are required by the personal representative, being Petina Joelle Sewell to send particulars of their claims to c/- McDonald Pynt Lawyers, PO Box 697, Fremantle WA 6959 within 30 days of publication of this notice after which date the personal representative may convey or distribute the assets, having regard only to the claims of which she then has notice.

ZX403

TRUSTEES ACT 1962
DECEASED ESTATES

Notice to Creditors and Claimants

Alida Maria Juliana Akkerman, late of Unit 26, 138 Lewis Road, Forrestfield, Western Australia, deceased.

Creditors and other persons having claims (to which section 63 of the *Trustee's Act 1962*, relates) for the Deceased's Estate who died on the 13 May 2002 are required by me, Rod Tatchell of 11 Bonchester Court, Duncraig, the Executor and Trustee to send particulars of your claims to me care of my Solicitor's, Holyoak-Roberts Legal of PO Box 145, Kelmscott WA 6991 by the 15 April 2009 after that date I will convey or distribute the assets with regard to only the claims of which I have notice.

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