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— PART 1 —

LOCAL GOVERNMENT

LG301*

CEMETERIES ACT 1986 LOCAL GOVERNMENT ACT 1995

Shire of Koorda

CEMETERIES AMENDMENT LOCAL LAW 2010

Under the powers conferred by the *Cemeteries Act 1986* and the *Local Government Act 1995* and under all other powers enabling it, the Council of the Shire of Koorda resolved on 19 May 2010 to make the following local law

1. Citation

This local law is the *Shire of Koorda Cemeteries Amendment Local Law 2010*.

2. Commencement

This local law comes into operation on the 14th day after the day on which it is published in the *Government Gazette*.

3. Principal local law

In this local law, the *Shire of Koorda Cemeteries Local Law* published in the *Government Gazette* on 21 March 2000, is referred to as the principal local law. The principal local law is amended.

4. Clause 1.2(1) inserting definition

In clause 1.2(1) in alphabetical order of the terms being defined, insert the definition—

“Act” means the *Cemeteries Act 1986*;

5. Clause 3.2 correction

In clause 3.2 delete “under clause 3.4” and insert “under clause 3.3”.

6. Clause 7.18(3) amendment

Delete clause 7.18(3) and insert—

(3) An aggrieved person whose licence has been terminated under subclause (1) may apply to the State Administrative Tribunal for a review of the decision of the Board in accordance with section 19(2) of the Act.

Dated: 19 May 2010.

The Common Seal of the Shire of Koorda was affixed under the authority of a resolution of the Council in the presence of—

Cr J. P. BROOKS, Shire President.
G. J. MCDONALD, Chief Executive Officer.

— PART 2 —

AGRICULTURE AND FOOD

AG401*

PLANT DISEASES ACT 1914**VETERINARY CHEMICAL CONTROL AND ANIMAL FEEDING STUFFS ACT 1976**

APPOINTMENTS

Department of Agriculture and Food,
SOUTH PERTH WA 6151.

I, the undersigned Minister for Agriculture and Food, being the Minister responsible for the administration of the *Plant Diseases Act 1914* and the *Veterinary Chemical Control and Animal Feeding Stuffs Act 1976*, hereby appoint the following officer as an authorised Inspector—

Section 7A of the *Plant Diseases Act 1914*—

Roland Rupert Nicholls

Section 37 of the *Veterinary Chemical Control and Animal Feeding Stuffs Act 1976*—

Roland Rupert Nicholls

TERRY REDMAN MLA, Minister for Agriculture and Food.

AG402*

PLANT DISEASES ACT 1914

APPOINTMENT

Department of Agriculture and Food,
SOUTH PERTH WA 6151.

I, the undersigned Minister for Agriculture and Food, being the Minister responsible for the administration of the *Plant Diseases Act 1914* hereby appoint the following person as an authorised inspector under section 7A of the *Plant Diseases Act 1914* to carry out all the functions that may be performed by an inspector under that Act—

Simon Troy Hodgson

TERRY REDMAN MLA, Minister for Agriculture and Food.

ENVIRONMENT

EV401*

CONTAMINATED SITES ACT 2003

(Section 97)

NOTICE OF THE MAKING, AMENDMENT OR REVOCATION OF GUIDELINES

In accordance with the *Contaminated Sites Act 2003*, section 97(4), notice is hereby given that the documents listed below, published by the Department of Environment and Conservation and the Department of Health, are guidelines for the purposes of the *Contaminated Sites Act 2003*, section 97. The guidelines below are in addition to guidelines listed in Notice EV401, published in the Western Australian *Government Gazette* No. 234 on 29 December 2006.

Guidelines for the purposes of section 97(1)(a)—

Assessment Levels for Soil, Sediment and Water (Contaminated Sites Management Series, Department of Environment and Conservation, February 2010)

Guidelines for the Assessment, Remediation and Management of Asbestos-Contaminated Sites (Department of Health and Department of Environment and Conservation, May 2009)

The above guidelines are available, free of charge, from www.dec.wa.gov.au/contaminatedsites

FISHERIES

FI401*

FISH RESOURCES MANAGEMENT ACT 1994
BROOME PRAWN MANAGED FISHERY MANAGEMENT PLAN 1999

Areas Closed to Fishing for Prawns

Notice No. 2 of 2010

I, Stuart Smith, Chief Executive Officer of the Department of Fisheries, in accordance with clause 12 of the *Broome Prawn Managed Fishery Management Plan 1999* (the Plan) and being of the opinion that the prohibition is required in the better interests of the Broome Prawn Managed Fishery, do hereby—

- (a) cancel *Notice No. 1 of 2010*, dated 11 May 2010; and
- (b) prohibit fishing for prawns in those parts of the Fishery, as described in Schedule 2 of the Plan during the period commencing 0800 hours WST on 17 September 2010 and ending 0800 hours WST on 31 August 2011.

Dated this 5th day of August 2010.

STUART SMITH, Chief Executive Officer.

HEALTH

HE401*

MEDICAL PRACTITIONERS ACT 2008

MEDICAL (UNMET AREA OF NEED) DETERMINATION (NO. 21) 2010

Made by the Minister for Health pursuant to section 34(1) of the *Medical Practitioners Act 2008*.

Citation

1. This determination may be cited as the *Medical (Unmet Area of Need) Determination (No. 21) 2010*.

Commencement

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

Unmet area of need

3. The area of need specified in the Schedule is determined to be an unmet area of need for the purposes of section 34(2)(b)(iv) of the Act.

Expiry of determination

4. This determination expires five years after its commencement.

SCHEDULE

RADIOLOGY SERVICES IN THE MIDLAND STATISTICAL DIVISION, UPPER GREAT SOUTHERN STATISTICAL DIVISION AND THE SHIRE OF BODDINGTON

Dated this 2nd day of August 2010.

Dr KIM HAMES MLA, Deputy Premier, Minister for Health.

HE402*

MEDICAL PRACTITIONERS ACT 2008

MEDICAL (UNMET AREA OF NEED) DETERMINATION (NO. 22) 2010

Made by the Minister for Health pursuant to section 34(1) of the *Medical Practitioners Act 2008*.

Citation

1. This determination may be cited as the *Medical (Unmet Area of Need) Determination (No. 22) 2010*.

Commencement

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

Unmet area of need

3. The area of need specified in the Schedule is determined to be an unmet area of need for the purposes of section 34(2)(b)(iv) of the Act.

Expiry of determination

4. This determination expires two years after its commencement.

SCHEDULE**OBSTETRICS AND GYNAECOLOGY SERVICES IN THE CITY OF BUNBURY**

Dated this 2nd day of August 2010.

Dr KIM HAMES MLA, Deputy Premier, Minister for Health.

LOCAL GOVERNMENT

LG401***BUSH FIRES ACT 1954***Shire of Gingin***FIRE CONTROL OFFICERS**

In accordance with Section 38 (1) of the *Bush Fires Act 1954*, hereunder are the Fire Control Officers appointed by the Shire of Gingin for the 2010/2011 Fire Season.

Chief Bushfire Control Officer/Fire Weather Officer—Michael John Pimm, Deputy Chief Bushfire Control Officers/Weather Officers—Maxwell John Borwick, George Robert Grant, Murray Charles Hyne and Arthur Henry Elliot. Inspection, Prosecution and Fire Permit Issuing Officers/Shire Rangers—Michael John Pimm, Michael Kokir and Daniel Winston Benoiton

GINGIN FIRE AREA

M. C. Hyne

P. G. Brocklehurst

GINGIN NORTH FIRE AREA

P. Crowe

GINGIN WEST FIRE AREA

G. R. Grant

M. J. Borwick

BEERMULLAH FIRE AREA

R. L. Harris

C. W. Fewster

RED GULLY FIRE AREA

E. R. Howard

B. Williams

NILGEN FIRE AREA

B. R. Leeson

D. J. Ottaway

GINGIN TOWNSITE

A. H. Elliot

GUILDERTON TOWNSITE

W. G. Marshall

D. Coleman (Permits Only)

SEABIRD TOWNSITE

L. Hunter

LEDGE POINT TOWNSITE

G. J. Barrett

P. Barrett (Seaview Park)

LANCELIN TOWNSITE

R. K. Scaddan

OCEAN FARM

M. B. Culhane

WOODRIDGE

S. Morris (Permits Only)

D. T. BURT, Chief Executive Officer.

Dated: 20 July 2010.

LG402*

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1960*City of Bayswater***2010/2011 SWIMMING POOL INSPECTION LEVY**

In accordance with the *Local Government (Miscellaneous Provisions) Act 1960*, Section 245A, the City of Bayswater gives notice that at the meeting held on 20 July 2010 Council imposed a Swimming Pool Inspection Levy of \$14.50 per property containing a private swimming pool/spa (GST inclusive).

T. KENYON Mayor.
F. LEFANTE Chief Executive Officer.

LG403*

**SHIRE OF DARDANUP
AUTHORISATION PERSON**

It is hereby notified for public information that Mrs Belinda Swingler has been appointed as an authorised person of the Shire of Dardanup pursuant to the following—

To exercise powers under Part XX of the Local Government Act (Miscellaneous Provisions) Act 1960; Section 449 of the Local Government (Miscellaneous Provisions) Act 1960 as Pound Keeper and Ranger;

Section 9.13, 9.15 of the Local Government Act 1995 as an Authorised Person;

Section 3.39 of the Local Government Act 1995 as an Authorised Person;

and as an Authorised Person pursuant to the following—

Dog Act 1976 for the purposes of registering, seizing, impounding, detaining and destroying of dogs; Section 33E (1) Dog Act as an Authorised Person;

Control of vehicles (Off Road Area) Act 1978;

Litter Act 1979;

Bush Fires Act 1954

Caravan Parks and Camping Grounds Act 1995

and effecting general rangers duties within the district.

M. L. CHESTER, Chief Executive Officer.

Dated: 6 August 2010.

LG501*

BUSH FIRES ACT, 1954*Shire of Gingin***FIREBREAK ORDER 2010/2011**

Notice is hereby given to all landowners/occupiers within the Shire of Gingin, that firebreaks must be installed by 1 November 2010 and maintained clear of flammable material up to and including 31 May 2011.

RURAL (FARM) FIREBREAKS (Properties 20ha (50 acres) or larger)

Clear a firebreak of all flammable material, for a width of no less than three metres (3m), immediately inside the external boundaries of the property.

Trees must be trimmed back to provide a vertical clearance of a minimum three and a half metres (3.5m) to allow fire appliances to drive along the firebreak.

Construct a three metre (3m) firebreak immediately surrounding all buildings and fuel storage areas.

Areas cleared for burning require a twenty metre (20m) firebreak.

ALL OTHER NON URBAN LAND

2023m² (half an acre) to 8ha (20 acres). This category relates to nearly all lots in Gingin Rural Industrial Estate, Woodridge, Ocean Farm, Sunset Estate, Redfield Park, Sovereign Hill, Seaview Park and Moondah Ridge.

Clear a two and a half metre (2.5m) wide firebreak of all flammable material, immediately inside the external boundaries of the land.

Trees must be trimmed back to provide a vertical clearance of a minimum three and a half metres (3.5m) to allow fire appliances to drive along the firebreak.

On heavily grassed blocks slash all dry grass to a height of no more than 50mm.

8ha (20 acres) to 20ha (50 acres)

Clear a two and a half metre (2.5m) wide firebreak of all flammable material, immediately inside the external boundaries of the land.

Trees must be trimmed back to provide a vertical clearance of a minimum three and a half metres (3.5m) to allow fire appliances to drive along the firebreak.

On heavily vegetated or grassed blocks, implement supplementary fuel reduction for a further five metres (5m) inside the firebreak.

For your own protection, landowners are encouraged to install additional firebreaks around all buildings where practical.

URBAN LAND—ALL TOWNSITES**Land 2023m² (Half acre) or less**

Clear land of all flammable material, i.e. debris, dry grass, dry bush etc.

Land larger than 2023m² (Half acre)

Clear a two and a half metre (2.5m) wide firebreak of all flammable material, immediately inside the external boundaries of the land.

ALTERNATIVE ALIGNMENTS

If it is impractical to have a firebreak immediately inside a boundary, for environmental or any other reason(s), you are required to notify the Shire of Gingin in writing, before 1 October, to obtain permission for firebreaks to be installed in an alternative position. Once approval is granted, there is no need to re-apply each year, unless circumstances change.

PLANTATIONS**Tree Plantations of more than three hectares (3ha), but less than ten hectares (10ha)**

Construct a ten metre (10m) wide firebreak, clear of all flammable material, immediately surrounding the plantation (Adjacent areas of the same property subject to provisions as for Rural Areas).

Plantations larger than ten hectares (10ha)

Comply with the Shire of Gingin's Guidelines for Plantation Fire Protection. A copy is available from the Shire Office upon request.

HARVEST/MOVEMENT OF VEHICLES BANS

A ban on harvesting and the movement of vehicles in paddocks (except for the watering of stock) is likely to be imposed when the predicted weather conditions, are classified by the Bureau of Meteorology as very high or extreme.

Phone the Gingin Fire Weather Hotline on 9575 1330 for details and updates, or contact your local Fire Control Officer for further information.

ADDITIONAL RESPONSIBILITIES AND PENALTIES

Persons who fail to comply with the requirements of this Order may be fined up to \$1000.00. In addition, Council can arrange for the required work to be carried out at the cost of the owner or occupier.

Gas or electric barbecues ONLY, are permitted during Prohibited Burning Times.

A Permit to Burn must be obtained during the Restricted Burning Period. Permits are generally subject to a number of conditions but will NOT be issued for burning on Sundays or Public Holidays, unless approved by the Chief Bush Fire Control Officer. Permits to burn must now be obtained to burn any garden refuse in the Restricted Burning Period.

Prior to any burning, you are required to notify your neighbours, Fire Control Officer and the Shire of Gingin.

Besides being responsible for the safety of your own property, if a fire escapes from your property, you may be liable to pay compensation for any damage caused outside of your property—this could be very costly.

Public infrastructure must not be placed in a manner that results in an above-ground encroachment into the firebreak area. Trees must not be planted in a manner that results in vegetation encroaching into the firebreak area.

BURNING PERIODS**RESTRICTED BURNING PERIOD**

Permit to burn required from a Fire Control Officer

1 October to 21 November

1 March to 31 May

PROHIBITED BURNING PERIOD

22 November to 28 February

NO BURNING WITHOUT EXCEPTION

D. T. BURT Chief Executive Officer.

Dated: 20 July 2010.

MINERALS AND PETROLEUM

MP401*

PETROLEUM AND GEOTHERMAL ENERGY RESOURCES ACT 1967

GRANT OF PETROLEUM RETENTION LEASE R4

Petroleum Retention Lease No. R4 has been granted to Chevron Australia Pty Ltd, Chevron (TAPL) Pty Ltd, Santos Offshore Pty Ltd and Mobil Australia Resources Company Pty Limited to have effect for a period of five (5) years from and including 3 August 2010.

W. L. TINAPPLE, Executive Director Petroleum Division.

PLANNING

PI101*

*CORRECTION***PLANNING AND DEVELOPMENT ACT 2005**

APPROVED LOCAL PLANNING SCHEME AMENDMENT

City of South Perth

Town Planning Scheme No. 6—Amendment No. 18

Ref: TPS/0094

It is hereby notified for public information that the Notice of approval by the Minister for Planning of the above Town Planning Scheme Amendment published on page 3256 of *Government Gazette* No. 134 on 9 July 2010, was incomplete in that it contained only the general intent of the Amendment, and not the full approved text. The full and correct Notice of the Minister's approval is now published as follows—

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 South Perth local planning scheme amendment on 10 June 2010 for the purpose of modifying clause 5.4 of the Scheme Text by adding the following new sub-clause (7)—

- “(7) (a) In this sub-clause, ‘Site G’ means Lot 2199 (No. 6) Morrison Street, Como.
- (b) In respect of Site G, the Council may grant planning approval for a building greater than 7.0 metres in height to a maximum of 10.5 metres in height, provided that—
- (i) any such building will not cause any overshadowing of Lot 3296 Morrison Street at noon on 21 June;
 - (ii) the height of any such building fronting Morrison Street or Thelma Street on Site G shall be contained beneath an angle plane extending from a height of 1,600 millimetres measured at the street boundary of any residential property directly opposite Site G to a height of 7.0 metres measured 7.5 metres inside the boundary to Morrison Street or Thelma Street on Site G;
 - (iii) any such building is of an architectural design quality considered by the Council to be visually exceptional and incorporates environmentally sustainable design features;
 - (iv) landscaping is provided on Site G of a standard considered by the Council to be outstanding and contributing positively to—
 - (A) the visual quality of all streetscapes of which Site G forms a part;
 - (B) the visual balance between buildings of varying heights on Site G, and between buildings on Site G and those on neighbouring sites; and
 - (C) the local natural environment;
 - (v) any trees to be removed from Site G are replaced by other trees after the species, number and location of replacement trees have been approved by the Council;
 - (vi) any development proposal submitted to the City, which involves the demolition or substantial modification of an existing building, is accompanied by a heritage assessment statement adequately justifying the proposed demolition or modification and describing the effect of the proposal on the character or appearance of other buildings within Site G; and
 - (vii) the façades of any existing building to be demolished or substantially modified in order to achieve a height of 10.5 metres, is photographically recorded at the expense of the owner, such record being provided to the City for its heritage archives prior to any of the proposed works being undertaken.”

J. BEST, Mayor.

A. C. FREWING, Chief Executive Officer.

PI102*

CORRECTION
PLANNING AND DEVELOPMENT ACT 2005
 APPROVED LOCAL PLANNING SCHEME AMENDMENT
City of South Perth
 Town Planning Scheme No. 6—Amendment No. 19

Ref: 853/2/11/8 Pt 19

It is hereby notified for public information that the Notice of approval by the Minister for Planning of the above Town Planning Scheme Amendment published on page 3256 of *Government Gazette* No. 134 on 9 July 2010, was incomplete in that it contained only the general intent of Amendment No. 19, and not the full approved text. The full and correct Notice of the Minister's approval is now published as follows—

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 South Perth local planning scheme amendment on 21 May 2010 for the purpose of—

1. Increasing the density coding from R40 to R40/60 for Lot 50 (No. 32) Jubilee Street corner of Weston Avenue, South Perth.
2. Amending Schedule 3.1 Application of Performance Criteria, insofar as it relates to Precinct 4—Hurlingham, by the addition of the following new part “(3) Dual Density Coding R40/60” immediately after “(2) Dual Density Coding R20/30”—

“(3) Dual Density Coding R40/60

The Council may permit the site to be developed at a density exceeding R40 to a maximum of R60, where all of the following 10 Performance Criteria are met to Council's satisfaction—

NOTES

Design Quality Criteria	(i)	Car parking bays, for the exclusive use of occupiers are provided in undercroft garaging and concealed from view from any street and from the Sir James Mitchell Park foreshore reserve. (NOTE: Refer to Objective and Interpretation (p) below.)	
	(ii)	The development incorporates two unobstructed viewing corridors, providing a view for pedestrians on Jubilee Street and Weston Avenue across the development site to the Sir James Mitchell Park foreshore reserve. The viewing corridors are to meet the following requirements— (A) One corridor is to be located alongside the south-western boundary of the site and is to be not less than 6.0 metres in width at any point. (B) The other corridor is to provide a view through the central communal open space and is to be not less than 6.0 metres wide at any point other than at a single location towards the southern end of the site where the width may be reduced to not less than 5.0 metres. (NOTE: Refer to Objective and Interpretation (q) below.)	
	(iii)	Buildings on the development site are set back an average distance of 10.0 metres with a minimum setback of 7.0 metres from the boundary with the Sir James Mitchell Park foreshore reserve, other than balconies which may extend not more than 2.0 metres into the setback area. (NOTE: Refer to Objective and Interpretation (r) below.)	
	(iv)	The development incorporates landscaping which meets the following requirements— (A) a minimum of 60 percent of the site is to comprise open space; (B) a minimum of 1,500 square metres of communal open space is to be located towards the centre of the site and is to be visible from the Sir James Mitchell Park foreshore reserve; (C) the setback area extending along the foreshore reserve boundary is to contain predominantly local native trees and other significant local native planting compatible with the treatment and purpose of the reserve, to act as an environmental buffer and an attractive visual interface between the development site and the reserve; (D) any sculpture located within the setback area extending along the foreshore reserve boundary is to be designed to complement the nature of the landscaping within that setback area and also to be compatible with the adjacent reserve. (NOTE: Refer to Objective (s) below.)	

Design Quality Criteria	(v)	Each dwelling incorporates at least one balcony with a minimum area of 15 sq. metres and a minimum dimension of 3.0 metres. (NOTE: Refer to Objective (t) below.)	
	(vi)	Building façades facing both the street and the Sir James Mitchell Park foreshore reserve incorporating a sufficient level of articulation and detail, with minimum lengths of blank walls, to ensure that the architectural design is of high quality. Balconies should not excessively dominate the elevation facing the reserve. (NOTE: Refer to Objective and Interpretation (u) below.)	
	(vii)	The proposal incorporates sustainable design measures in excess of those required by the <i>Building Code of Australia</i> . (NOTE: Refer to Objective (v) below.)	
	(viii)	The proposal comprises— (A) Multiple Dwellings; and (B) no more than 35 dwellings. (NOTE: Refer to Objective (w) below.)	
	(ix)	The proposal is supported by an Impact Assessment Report prepared under clause 7.6 of the Scheme, containing, in addition to an assessment of any other relevant matter listed in clause 7.5, the following— (A) an Urban Water Management Plan demonstrating— (1) retention of all stormwater on site if possible, with any excess being discharged into the Council's drainage system; and (2) use of water-sensitive urban design principles and best practice standards in the design of the development; (B) a Landscape Management Plan adequately addressing the landscaping of the site, including, among other matters, all of the related performance criteria; (C) an Acid Sulphate Soils Assessment and Management Plan and a Dewatering Management Plan demonstrating— (1) methods of disposal of dewatering waste on site and prevention of any discharge into the adjoining reserve or river; (2) protection against, or removal or replacement of, any acid sulphate soils encountered during excavation of the site; and (D) in the case of any realignment of the sewer to the foreshore reserve boundary, nominated alternative access routes for servicing the sewer, other than from the foreshore reserve so as to minimise any adverse impact upon the reserve. (NOTE: Refer to Objective (x) below.)	

3. Amending Schedule 3.2 Objectives and Interpretations of Performance Criteria, insofar as it relates to Precinct 4—Hurlingham, by the addition of the following new Performance Criteria (p), (q), (r), (s), (t), (u), (v), (w), and (x), with their respective Objectives and Interpretations, immediately after Performance Criterion (o)—

Performance Criterion	Objective	Interpretation	
(p)	Car parking bays, for the exclusive use of occupiers, are provided in undercroft garaging and concealed from view from any street and from the Sir James Mitchell Park foreshore reserve.	To achieve a higher standard of car parking facilities than normally required, in order to— (i) ensure minimal overspill into the streets; (ii) minimise the total amount of the site that is used for buildings and car parking, thus maximising the provision of open space; and (iii) enhance the visual amenity of the site from the street, from the reserve and for occupiers of the site.	The minimum number of car bays is to be provided in addition to any bays provided for bicycles, motor bikes, caravans or other vehicles or objects.

Performance Criterion	Objective	Objective	Interpretation
(q) The development incorporates two unobstructed viewing corridors, providing a view for pedestrians on Jubilee Street and Weston Avenue across the development site to the Sir James Mitchell Park foreshore reserve. The viewing corridors are to meet the following requirements— <p>(A) One corridor is to be located alongside the south-western boundary of the site and is to be not less than 6.0 metres in width at any point.</p> <p>(B) The other corridor is to provide a view through the central communal open space and is to be not less than 6.0 metres wide at any point other than at a single location towards the southern end of the site where the width may be reduced to not less than 5.0 metres.</p>	To encourage an enhanced streetscape and amenity by providing a visual link from the street to the Sir James Mitchell Park foreshore reserve, enhancing both the attractiveness of the streetscape and visual access to the reserve.		The term 'unobstructed' means that the viewing corridors shall not contain any visual obstruction greater than 1.0 metre in height. A 'visual obstruction' includes a fence, bush, building, play equipment, or any other structure or thing which would impede the view, but does not include any part of the Port Jackson Fig tree (<i>Ficus rubiginosa</i>) which existed on the site on the date of publication of Amendment No. 19.
(r) Buildings on the development site are set back an average distance of 10.0 metres with a minimum setback of 7.0 metres from the boundary with the Sir James Mitchell Park foreshore reserve, other than balconies which may extend not more than 2.0 metres into the setback area.	To comply with the requirements of Swan River Trust policy and provide an opportunity for an appropriately landscape and visual buffer between the development and the foreshore.		A balcony extending into the setback area may be either cantilevered or supported by columns, provided that the ground beneath the balcony is includes planting and landscaping that forms part of the required environmental and visual buffer.
(s) The development incorporates landscaping which meets the following requirements— <p>(A) a minimum of 60 percent of the site is to comprise open space;</p> <p>(B) a minimum of 1,500 square metres of communal open space is to be located towards the centre of the site and is to be visible from the Sir James Mitchell Park foreshore reserve;</p> <p>(C) the setback area extending along the foreshore reserve boundary is to contain predominantly local</p>	To achieve a higher standard of open space than normally required, in order to— <p>(i) enhance the visual quality of the foreshore reserve, while also complementing the environmental objectives reflected in the treatment of the reserve, by means of compatible planting and ornamentation of the interface buffer strip on the development site; and</p> <p>(ii) protect the foreshore reserve from run-off from the development site by means of appropriate</p>		N/A

Performance Criterion	Objective	Interpretation
	<p>native trees and other significant local native planting compatible with the treatment and purpose of the reserve, to act as an environmental buffer and an attractive visual interface between the development site and the reserve;</p> <p>(D) any sculpture located within the setback area extending along the foreshore reserve boundary is designed to complement the nature of the landscaping within that setback area and also to be compatible with the adjacent reserve.</p>	<p>planting within a visually attractive buffer strip on the development site.</p>
(t)	<p>Each dwelling incorporates at least one balcony with a minimum area of 15.0 square metres and a minimum dimension of 3.0 metres.</p>	<p>To encourage an exceptional quality of development and private open space for each dwelling, and to add to the attractiveness of the development when viewed from the foreshore reserve and the public street.</p>
(u)	<p>Building façades facing both the street and the Sir James Mitchell Park foreshore reserve incorporating a sufficient level of articulation and detail, with minimum lengths of blank walls, to ensure that the architectural design is of high quality. Balconies should not excessively dominate the elevation facing the reserve.</p>	<p>To encourage an exceptional quality of architecture within the development, enhance the attractiveness of the streetscape, and ensure that any redevelopment of the site enhances and is compatible with the foreshore reserve.</p> <p>The achievement of high quality architectural design is not limited to the measures referred to in the criterion. The applicant should also explore other appropriate design features, such as appropriate fenestration detailing and a variety of building materials (eg. glass, steel and rendered masonry).</p>
(v)	<p>The proposal incorporates sustainable design measures in excess of those required by the <i>Building Code of Australia</i>.</p>	<p>To encourage an exceptional quality of sustainable development.</p>
(w)	<p>The proposal comprises— (A) Multiple Dwellings; and (B) no more than 35 dwellings.</p>	<p>To ensure that an appropriate form of development occurs and that the site is not overdeveloped.</p>
(x)	<p>The proposal is supported by an Impact Assessment Report prepared under clause 7.6 of the Scheme, containing, in addition to an assessment of any other relevant matter listed</p>	<p>To ensure that a wide range of major issues are fully addressed in relation to urban water management, landscaping, soil contamination and access to the sewer.</p>

Performance Criterion	Objective	Interpretation
<p>in clause 7.5, the following—</p> <p>(A) an Urban Water Management Plan demonstrating—</p> <p>(1) retention of all stormwater on site if possible, with any excess being discharged into the Council's drainage system; and</p> <p>(2) use of water-sensitive urban design principles and best practice standards in the design of the development;</p> <p>(B) a Landscape Management Plan adequately addressing the landscaping of the site, including, among other matters, all of the related performance criteria;</p> <p>(C) an Acid Sulphate Soils Assessment and Management Plan and a Dewatering Management Plan demonstrating—</p> <p>(1) methods of disposal of dewatering waste on site and prevention of any discharge into the adjoining reserve or river;</p> <p>(2) protection against, or removal or replacement of, any acid sulphate soils encountered during excavation of the site; and</p> <p>(D) in the case of any realignment of the sewer to the foreshore reserve boundary, nominated alternative access routes for servicing the sewer, other than from the foreshore reserve so as to minimise any adverse impact upon the reserve.</p>		

4. Amending the Zoning Map for Precinct 4 'Hurlingham' to increase the density coding for Lot 50 (No. 32) Jubilee Street corner of Weston Avenue, South Perth, from R40 to R40/60.

J. BEST, Mayor.
A. C. FREWING, Chief Executive Officer.

PI401*

PLANNING AND DEVELOPMENT ACT 2005
METROPOLITAN REGION SCHEME MINOR AMENDMENT 1196/57
EAST ROCKINGHAM WASTEWATER TREATMENT PLANT

Call for Public Submissions

The Western Australian Planning Commission (WAPC) intends to amend the Metropolitan Region Scheme (MRS) for land in the local government of Rockingham and is seeking public comment.

The purpose of this amendment is to rezone Lots 500, 501 and 502 Patterson Road, East Rockingham to rationalise the existing public purposes (WSD) reserve and industrial zone in the Metropolitan Region Scheme (MRS).

The Western Australian Planning Commission certifies that, in its opinion, the proposed amendment does not constitute a substantial alteration to the MRS.

The plans showing the proposed change and the WAPC amendment report which explains the proposal, will be available for public inspection from Tuesday 10 August 2010 to Friday 15 October 2010 at—

- Western Australian Planning Commission, 469 Wellington Street, Perth
- J S Battye Library, Level 3 Alexander Library Building, Perth Cultural Centre
- City of Rockingham
- Town of Kwinana

Documents are also available from the PlanningWA website www.planning.wa.gov.au.

Any person who desires to make a submission to support, object or provide comment on any part of the proposed amendment should do so on a form 57. This submission form is available from the display locations, the amendment report and the internet.

Submissions must be lodged with the: Secretary, Western Australian Planning Commission, 469 Wellington Street, Perth WA 6000; on or before 5 pm **Friday 15 October 2010**.

Late submissions will not be considered.

TONY EVANS, Secretary,
Western Australian Planning Commission.

PI402*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
Shire of Chapman Valley
Town Planning Scheme No. 1—Amendment No. 46

Ref: TPS/0182

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 Chapman Valley local planning scheme amendment on 21 July 2010 for the purpose of—

- (1) Rezoning Lots 460 and 542, David Road, White Peak, from 'General Farming' zone to 'Rural Residential—RR2' zone;
- (2) Deleting the title for Appendix 10 of the Scheme Text that refers to 'Additional Requirements and Modifications Applicable to Special Rural Zones' and replacing it with 'Additional Requirements and Modifications Applicable to Rural Residential Zones';
- (3) Amending Appendix 10 of the Scheme Text by inserting the following text—

“AREA No. 2—LOTS 460 AND 542 DAVID ROAD, WHITE PEAK

1. Subdivision, development and land use shall generally be in accordance with the Subdivision Guide Plan as adopted by the Local Government and endorsed by the Western Australian Planning Commission.
2. No development or land use activity shall impede in any way the natural water flow along any creek line or water course, unless given approval as determined by the Local Government in consultation with the Department of Water.
3. Development (including roads, crossings, pedestrian access ways and residential development) as shown on the Subdivision Guide Plan must display appropriate setbacks from the Dolby Creek foreshore, to be determined by the Local Government in consultation with the Department of Water.
4. Buildings and effluent disposal systems shall be confined to the building envelopes as identified on the Subdivision Guide Plan (and the building envelopes must be of an area and location that is supported by the Local Government and the Department of Water).
5. The Local Government shall recommend to the Western Australian Planning Commission that as part of any approval to subdivide the land that an Urban Water Management Plan and Watercourse Management Plan shall be prepared and implemented to the satisfaction of the Local Government and the Department of Water by the subdivider at the subdivider's cost.
6. All buildings constructed on the land shall be sympathetic to existing landscape elements, namely landform, vegetation and amenity, in terms of their design, height, location, materials and cladding colours.
7. All stormwater and runoff from buildings and other impervious surfaces shall be disposed of within each lot so as to avoid scouring and erosion.
8. With the objective of maintaining sustainable land use practices, and preventing land degradation through wind and water erosion, the keeping of animals is permitted in

accordance with the following or such density as approved by the Local Government following consultation with the Department of Agriculture and Food, with conditions if appropriate—

- 5 sheep / 1ha of agistment area
- 1 horse / 2ha of agistment area
- 1.6 pony / 2ha of agistment area
- 1 milking cow / 2ha of agistment area
- 1.6 heifer / 2ha of agistment area
- 5 goats / 1ha of agistment area

Only one stock option as specified above will be permitted or a combination equivalent of one option.

Notwithstanding the above, the Local Government may reduce or vary the limit on stocking or place any other conditions in light of prevailing seasonal conditions to prevent overstocking, erosion, or other practices detrimental to the environment or amenity of the neighbouring properties.

9. Prior to final approval of subdivision of the land, the watercourse and all remnant vegetation (excluding areas for fire control, driveway access and servicing) shall be protected from livestock by means of fencing to an appropriate standard as prescribed by the Local Government.
 10. Remnant vegetation is not to be cleared outside the building envelopes.
 11. No dwelling shall be constructed or approved for construction unless an approved method of on-site effluent disposal suitable for long-term usage has been incorporated into the approved plans, and is in a location, to the satisfaction of the Local Government in consultation with the Health Department of WA.
 12. Construction of a dam or soak on the property shall be subject to formal planning consent being granted by the Local Government, following consultation with the Department of Water.
 13. Landowners shall not proceed with any form of development or change in land use without having obtained planning consent from the Local Government.”
- (4) Amending the Scheme Map accordingly.

J. P. COLLINGWOOD, Shire President.
D. SELLENGER, Chief Executive Officer.

PI501*

PLANNING AND DEVELOPMENT ACT 2005
METROPOLITAN REGION SCHEME MAJOR AMENDMENT 1191/41
RATIONALISATION OF FREMANTLE PORTS OPERATIONS
Call for Public Submissions

The Western Australian Planning Commission (WAPC) intends to amend the Metropolitan Region Scheme (MRS) for land in the local government of Fremantle and is seeking public comment.

The amendment seeks to rezone five areas from the urban and industrial zones and/or waterways reservation to the port installations reservation.

Display locations

The plans showing the proposed change and the WAPC's amendment report which explains the proposal will be available for public inspection, free of charge from Tuesday 13 July 2010 to Friday 15 October 2010 at—

- Western Australian Planning Commission, 469 Wellington Street, Perth
- J S Battye Library, Level 3 Alexander Library Building, Perth Cultural Centre
- City of Perth
- City of Fremantle
- City of Cockburn
- Town of East Fremantle

Documents are also available from the PlanningWA website www.planning.wa.gov.au.

Submissions

Any person who desires to make a submission to support, object or provide comment on any part of the proposed amendment should do so on a form 41. This submission form is available from the display locations, the amendment report and the internet.

Submissions must be lodged with the: Secretary, Western Australian Planning Commission, 469 Wellington Street, Perth WA 6000; on or before 5 pm **Friday 15 October 2010**.

Late submissions will not be considered.

TONY EVANS, Secretary,
Western Australian Planning Commission.

RACING, GAMING AND LIQUOR

RG401*

LIQUOR CONTROL ACT 1988**LIQUOR APPLICATIONS**

The following is a summary of applications received under the *Liquor Control Act 1988 (the Act)* and required to be advertised.

Any person wishing to obtain more details about any application, or about the objection process, should contact the Department of Racing, Gaming and Liquor, 1st Floor, 87 Adelaide Terrace, Perth, Telephone: (08) 9425 1888, or consult a solicitor or relevant industry organisation.

App. No.	Applicant	Nature of Application	Last Date for Objections
APPLICATION FOR THE GRANT OF A LICENCE			
13563	Fivesixty Enterprises Pty Ltd	Application for the conditional grant of a restaurant licence in respect of premises situated in Mount Lawley and known as The Duyfken.	05/09/2010
APPLICATION FOR REMOVAL OF LICENCE			
342013	Cranbrook Sporting Club Inc	Application for the Removal of a club licence in respect of premises currently situated at King St, Cranbrook to premises situated at Gathorne Street, Cranbrook.	12/09/2010

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

Dated: 6 August 2010.

B. A. SARGEANT, Director of Liquor Licensing.

TRANSPORT

TR401*

ROAD TRAFFIC ACT 1974**ROAD TRAFFIC CODE 2000****EXEMPTION**

Drivers of Omnibuses May Drive Despite Passengers Not Wearing Seatbelts

(RTCode 2010 00670)

I, Reece Waldoock, Director General, Department of Transport, pursuant to regulation 240 of the *Road Traffic Code 2000* (the Code) hereby exempt the drives of vehicles licensed as omnibuses (including small charter vehicles) under Part III, Division 2 of the *Transport Coordination Act 1966* from the provisions of regulations 233(1) and 235(1) of the Code.

This instrument of Exemption is called RTCode 2010/00670.

This instrument revokes RTC 2008/00533.

REECE WALDOOCK, Director General,
Department of Transport.

Dated this 5th day of August 2010.

TREASURY AND FINANCE

TF401*

TAXATION ADMINISTRATION ACT 2003
COMMISSIONER'S PRACTICE

Under the provisions of section 127 of the *Taxation Administration Act 2003*, the following Commissioner's practice is hereby published for public information—

LT 16.1 LAND TAX—EXEMPTION FOR LAND USED FOR A CARAVAN PARK, PARK HOME PARK OR CAMPING GROUND

Full details of the Commissioner's practice can be obtained from the Office of State Revenue website at www.osr.wa.gov.au.

B. SULLIVAN, Commissioner of State Revenue,
Department of Treasury and Finance.

DECEASED ESTATES

ZX401

TRUSTEES ACT 1962
DECEASED ESTATES

Notice to Creditors and Claimants

Margaret Jenise Baldwin, late of 24 Tankerton Way, Coodanup.

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 25 March 2010 are required by the executor of care of Nicholson Clement, Lawyers, 4 Sutton Street, Mandurah 6210 to send particulars of their claims to the executor within one (1) month from the date of publication of this notice after which date the executor may convey or distribute the assets having regard only to the claims of which he then has notice.

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