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# — PART 1 —

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## PROCLAMATIONS

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AA101\*

### REVENUE LAWS AMENDMENT AND REPEAL ACT 2010

No. 17 of 2010

PROCLAMATION

Western Australia

By His Excellency

Doctor Kenneth Comninos Michael,  
Companion of the Order of Australia,  
Governor of the State of Western Australia

[L.S.]

KENNETH COMNINOS MICHAEL  
Governor

I, the Governor, acting under the *Revenue Laws Amendment and Repeal Act 2010* section 2(d) and with the advice and consent of the Executive Council, fix 1 March 2011 as the day on which Part 2 Division 2 and sections 11, 14 and 15 of that Act come into operation.

Given under my hand and the Public Seal of the State on 8 February 2011.

By Command of the Governor,

SIMON O'BRIEN, Minister for Finance.

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## ENVIRONMENT

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EV301\*

Waste Avoidance and Resource Recovery Act 2007

### Waste Avoidance and Resource Recovery (Appointment) Instrument 2010

Made by the Governor in Executive Council.

**1. Citation**

This is the *Waste Avoidance and Resource Recovery (Appointment) Instrument 2010*.

**2. Member of Waste Authority appointed**

Under the *Waste Avoidance and Resource Recovery Act 2007* section 11(1), and on the recommendation of the Minister for

the Environment, James William Malcolm is appointed to be a member of the Waste Authority for a term commencing on and including the day on which this instrument is made and ending on and including 31 December 2011.

**3. Chairman of Waste Authority appointed**

On appointment as a member of the Waste Authority under clause 2, under the *Waste Avoidance and Resource Recovery Act 2007* section 12, and on the recommendation of the Minister for the Environment, James William Malcolm is appointed to be the chairman of the Waste Authority.

**4. Remuneration**

Under the *Waste Avoidance and Resource Recovery Act 2007* section 15, and on the recommendation of the Minister for Public Sector Management, the remuneration of the chairman of the Waste Authority is determined to be \$39 100 per annum.

By Command of the Governor,

R. KENNEDY, Clerk of the Executive Council.

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**JUSTICE**

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JU301\*

Magistrates Court Act 2004

## **Magistrates Court (General) Amendment Rules 2011**

Made by the Magistrates Court.

**1. Citation**

These rules are the *Magistrates Court (General) Amendment Rules 2011*.

**2. Commencement**

These rules come into operation as follows —

- (a) rules 1 and 2 — on the day on which these rules are published in the *Gazette*;
- (b) the rest of the rules — on the day on which the *Road Traffic Legislation Amendment (Disqualification by Notice) Act 2010* section 12 comes into operation.

**3. Rules amended**

These rules amend the *Magistrates Court (General) Rules 2005*.

**4. Rule 50 amended**

- (1) In rule 50 delete the definition of *special application*.
- (2) In rule 50 in the definition of *RTA* delete “1974;” and insert:

*1974.*

**5. Rule 51 amended**

- (1) In rule 51(1) delete “section 76(1), other than a special application,” and insert:

section 76(1)

- (2) Delete rule 51(2).

**6. Rule 52 amended**

In rule 52(2) delete “Form 5 or 6,” and insert:

Form 5,

**7. Rule 53 amended**

In rule 53(1) delete “section 76(1), a special application,” and insert:

section 76(1)

**8. Rule 54 amended**

In rule 54 delete “section 76(1), a special application,” and insert:

section 76(1)

**9. Schedule 2 amended**

- (1) In Schedule 2 Form 5 delete the row that begins with “Certificate by applicant” and insert:

Certificate by applicant	A licence suspension order made under the <i>Fines, Penalties and Infringement Notices Enforcement Act 1994</i> is not in force against me.  I have not been refused an extraordinary licence by a court within the 6 months before the date of this application.
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- (2) Delete Schedule 2 Form 6.

Dated: 9th February 2011.

Magistrates’ signatures:

STEVEN ALEX HEATH, Chief Magistrate.

ELIZABETH ADELE WOODS, Deputy Chief Magistrate.

GEOFFREY DUDLEY LAWRENCE, Magistrate.

PHILLIP GREGORY COCKRAM, Magistrate.

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**LOCAL GOVERNMENT**

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**LG301\***

Local Government Act 1995

**Local Government (Armadale and Gosnells -  
Change of Boundaries) Order 2011**

Made by the Governor in Executive Council on the recommendation of the Minister for Local Government.

**1. Citation**

This order is the *Local Government (Armadale and Gosnells - Change of Boundaries) Order 2011*.

**2. Commencement**

This order comes into operation as follows —

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

**3. Change of district boundaries — district of Armadale (s. 2.1(1)(b) of the Act)**

The boundaries of the district of Armadale are changed by —

- (a) including in the district the land described in Schedule 1; and
- (b) excluding from the district the land described in Schedule 2.

**4. Change of ward boundaries — Lake Ward in district of Armadale (s. 2.2(1)(c) of the Act)**

The boundaries of the Lake Ward in the district of Armadale are changed by —

- (a) including in the ward the land described in Schedule 1; and
- (b) excluding from the ward the land described in Schedule 2.

**5. Change of district boundaries — district of Gosnells (s. 2.1(1)(b) of the Act)**

The boundaries of the district of Gosnells are changed by —

- (a) excluding from the district the land described in Schedule 1; and
- (b) including in the district the land described in Schedule 2.

**Schedule 1 — Land to be included in the district of Armadale (and the Lake Ward) and excluded from the district of Gosnells**

[cl. 3 and 5]

All that portion of land bounded by lines starting from the western corner of Lot 3000 as shown on Deposited Plan 45207, a point on a present southwestern boundary of the district of Gosnells and extending northeasterly along the boundary of that lot to the southern corner of the central severance of Lot 9001 as shown on Deposited Plan 33692; thence northwesterly along the southwestern boundary of that severance to its southwestern corner; thence northwesterly to the southern corner of the western severance of Lot 9001; thence generally northwesterly and northerly along boundaries of that severance to the prolongation southwesterly of the northwestern boundary of the central severance of Lot 9001, a point on a present northwestern boundary of the district of Gosnells and thence southwesterly and southeasterly along boundaries of that district to the starting point.

**Schedule 2 — Land to be excluded from the district of  
Armadale (and the Lake Ward) and included in the district  
of Gosnells**

[cl. 3 and 5]

All that portion of land bounded by lines starting from the intersection of the prolongation northeasterly of the southeastern boundary of Lot 122 as shown on Deposited Plan 41169 with the southwestern boundary of Lot 1840 as shown on Plan 3315, a point on a present northeastern boundary of the district of Armadale and extending southwesterly to and along that boundary to the northernmost western corner of the western severance of Lot 9001 as shown on Deposited Plan 33692; thence southeasterly along a southwestern boundary of that severance to the prolongation southwesterly of the northwestern boundary of the central severance of Lot 9001, a point on a present southeastern boundary of the district of Armadale and thence northeasterly and northwesterly along boundaries of that district to the starting point.

By Command of the Governor,

R. KENNEDY, Clerk of the Executive Council.

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## — PART 2 —

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### CONSUMER PROTECTION

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**CP401\*****SUNDAY ENTERTAINMENTS ACT 1979****GOOD FRIDAY ENTERTAINMENT**

I, Simon O'Brien, Minister for Commerce, acting pursuant to Section 3(2) of the *Sunday Entertainments Act 1979* do hereby declare that the provisions of Section 3(1) of the Act shall not apply to, or in relation to, any person involved in the operation of the Rockingham Easter Carnival, situated at the Village Green, corner Flinders Lane and Kent Street, Rockingham, from 12.00 noon to 10.30pm on Good Friday, 22 April 2011.

SIMON O'BRIEN, MLC, Minister for Finance; Commerce; Small Business.

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### HEALTH

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**HE401\*****MENTAL HEALTH ACT 1996****MENTAL HEALTH (AUTHORISED MENTAL HEALTH PRACTITIONERS)****REVOCATION ORDER (No. 1) 2011**

Made by the Chief Psychiatrist under section 20.

**1. Citation**

This Order may be cited as the *Mental Health (Authorised Mental Health Practitioners) Revocation Order (1) 2011*.

**2. Commencement**

This Order comes into operation as follows—

- (a) clauses 1 and 2 — on the day on which this order is published in the *Gazette*;
- (b) clause 3 — on the day after that day.

**3. Revocation of designation**

The designation, as an authorised mental health practitioner of the mental health practitioners specified in Schedule 1 to this order is revoked.

**Schedule 1**

<b>Name</b>	<b>Profession</b>
FOSTER Stephen	Mental Health Nurse
KOOP Herman	Mental Health Nurse

Date 8 February 2011.

Dr ROWAN DAVIDSON, Chief Psychiatrist,  
Clinical Associate Professor (UWA).

**HE402\*****MENTAL HEALTH ACT 1996****MENTAL HEALTH (AUTHORISED MENTAL HEALTH PRACTITIONERS) ORDER (No. 1) 2011**

Made by the Chief Psychiatrist under section 20.

**1. Citation**

This order may be cited as the *Mental Health (Authorised Mental Health Practitioners) Order (No. 1) 2011*.

**2. Commencement**

This order comes into operation as follows—

- (a) clauses 1 and 2 — on the day on which this order is published in the *Gazette*;
- (b) clause 3 — on the day after that day.

**3. Authorised mental health practitioner**

The mental health practitioners specified in Schedule 1 to this order are designated as authorised mental health practitioners.

***Schedule 1***

<b>Name</b>		<b>Profession</b>
WINSTON	Nigel	Mental Health Nurse
ETHERINGTON	David	Mental Health Nurse
MUIR	Theresa	Mental Health Nurse
TAYLOR	John Hughes	Mental Health Nurse

Date 8 February 2011.

Dr ROWAN DAVIDSON, Chief Psychiatrist,  
Clinical Associate Professor (UWA).

**HE403\*****HEALTH ACT 1911**

ANAESTHETIC MORTALITY COMMITTEE  
(APPOINTMENT OF MEMBERS AND DEPUTIES) INSTRUMENT 2011

Made by the Minister under sections 340BB and 340BC of the Act.

**1. Citation**

This instrument may be cited as the *Anaesthetic Mortality Committee (Appointment of Members and Deputies) Instrument 2011*.

**2. Appointment of Members**

The appointment of the following persons as members of the Anaesthetic Mortality Committee for a period of three years commencing on 26 March 2011 and expiring on 25 March 2014 are approved—

- a. Professor Stephan Alexander Schug as a permanent member pursuant to section 340BB(3)(c) of the *Health Act 1911*.
- b. Dr Moira Westmore as a permanent member pursuant to section 340BB(3)(d) of the *Health Act 1911*.
- c. Dr Vinod Pushpalingam and Dr Diana Frances Fakes as provisional members pursuant to section 340BB(4)(b) of the *Health Act 1911*.

**3. Appointment of Deputies**

The appointment of the following persons as deputy members of the Anaesthetic Mortality Committee pursuant to section 340BC of the *Health Act 1911* for a period of three years commencing on 26 March 2011 and expiring on 25 March 2014 are approved—

- a. Professor Thomas Ledowski as deputy to permanent member, Professor Stephan Alexander Schug.
- b. Dr Sai Yan Fong as deputy to permanent member Dr Moira Westmore.
- c. Dr Stuart Crowther Burton as deputy to provisional member, Dr Diana Frances Fakes.

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

Date: 18 January 2011.

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**HERITAGE**

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**HR101\******CORRECTION*****HERITAGE OF WESTERN AUSTRALIA ACT 1990****ENTRY OF PLACES IN THE REGISTER OF HERITAGE PLACES**

In the notice published in the *Government Gazette* dated 10 January 1992, item HR401 on page 56, an error occurred. The land description for **P2095, Government House and Garden**, (the place now

known as Government House) located on St George's Terrace, Perth, was incorrect. The correct land description should read—

Reserve 1149 being Lot 1231 on Deposited Plan 30464 and the whole of the land contained in Crown Land Title Volume 3126 Folio 471.

Dated this 15th day of February 2011.

(sgd) GRAEME GAMMIE, Executive Director, Heritage Council of W.A.  
108 Adelaide Terrace, East Perth WA 6004.

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## PLANNING

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### PL401\*

#### PLANNING AND DEVELOPMENT ACT 2005

##### METROPOLITAN REGION SCHEME MAJOR AMENDMENT 1186/41 WANDI TRANSIT ORIENTED DEVELOPMENT PRECINCT

###### Outcome of Submissions

The Western Australian Planning Commission (WAPC) has considered all the submissions received in respect of the amendment proposal for the Wandit Wandit Transit Oriented Development Precinct Amendment 1186/41. This proposal was first published in the *Government Gazette* on 13 April 2010. The amendment is shown on WAPC plan number 3.2344/1.

The amendment, with modifications, 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 15 February 2011 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 Kwinana

Copies of the report on submissions are also available from the PlanningWA website [www.planning.wa.gov.au](http://www.planning.wa.gov.au).

TONY EVANS, Secretary,  
Western Australian Planning Commission.

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### PL402\*

#### PLANNING AND DEVELOPMENT ACT 2005

##### METROPOLITAN REGION SCHEME MAJOR AMENDMENT 1161/41 PARKS AND RECREATION RESERVATIONS FOR PUBLIC LANDS

###### Outcome of Submissions

The Western Australian Planning Commission (WAPC) has considered all the submissions received in respect of the amendment proposal for the Parks and Recreation Reservations for Public Lands Amendment 1161/41. This proposal was first published in the *Government Gazette* on 6 October 2009. The amendment is shown on WAPC plan numbers 1.5569, 1.5570, 1.5598, 1.5599, 1.5600, 1.5601, 1.5602, 1.5603/1, 1.5604, 1.5605, 1.5606, 1.5607, 1.5608, 1.5609/1, 1.5610/1, 1.5611, 1.5612/1, 1.5613, 1.5614, 1.5677, 1.5678, 1.5679/1, 1.5680/1, 3.2105, 3.2106, 3.2107/1, 3.2108, 3.2109, 3.2278.

The amendment, with modifications, 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 15 February 2011 at the following locations—

- Western Australian Planning Commission,  
469 Wellington Street, Perth
- City of Joondalup
- City of Rockingham

- J S Battye Library, Level 3 Alexander Library Building, Perth Cultural Centre
- City of Perth
- City of Fremantle
- City of Armadale
- City of Bayswater
- City of Belmont
- City of Canning
- City of Cockburn
- City of Gosnells
- City of Stirling
- City of Subiaco
- City of Swan
- City of Wanneroo
- Town of Bassendean
- Town of Kwinana
- Shire of Kalamunda
- Shire of Mundaring
- Shire of Serpentine-Jarrahdale

Copies of the report on submissions are also available from the PlanningWA website [www.planning.wa.gov.au](http://www.planning.wa.gov.au).

TONY EVANS, Secretary,  
Western Australian Planning Commission.

# PL403\*

## PLANNING AND DEVELOPMENT ACT 2005 APPROVED LOCAL PLANNING SCHEME AMENDMENT *City of Bunbury* Town Planning Scheme No. 7—Amendment No. 35

Ref: TPS/0066

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 Bunbury local planning scheme amendment on 8 February 2011 for the purpose of—

1. Deleting all existing uses and conditions contained under Special Use Zone 34 “Sanctuary Golf Resort Lot 105 Australind Bypass Road” of Schedule 2—Special Use Zone.
2. Inserting the following uses and conditions into Special Use No 34 “Sanctuary Golf Resort Lot 105 Australind Bypass Road” of Schedule 2—Special Use Zone as follows—

No.	Description of Land	Special Use(s)	Conditions
34	Sanctuary Golf Resort Lot 105 Australind Bypass Road	<ul style="list-style-type: none"> <li>• Clubhouse</li> <li>• Golf Merchandise Retail Sales</li> <li>• Motel/Short Stay Accommodation</li> <li>• Convention Centre</li> <li>• Restaurant</li> <li>• Single Dwelling/Unrestricted Residential Accommodation</li> <li>• Grouped Dwelling/Unrestricted Residential Accommodation</li> <li>• Multiple Dwelling Unrestricted Residential Accommodation</li> </ul> <p>For the purposes of this Special Use Zone—</p> <p><b>Unrestricted Residential Accommodation (URA)</b> means—</p> <p>“a dwelling or dwellings (either single, grouped or multiple) that may be permanently occupied as a residential dwelling, or temporarily for short-stay accommodation.”</p>	<p>1. All land use and development proposals on Lot 105 Old Coast Road (including strata Lot 40) shall be in accordance with a Development Guide Plan approved by Council which addresses the following matters—</p> <ul style="list-style-type: none"> <li>- Overall site layout to clearly identify the existing and proposed development;</li> <li>- Site coverage/land use distribution;</li> <li>- Plot ratio;</li> <li>- Height;</li> <li>- Boundary setbacks;</li> <li>- Fencing;</li> <li>- Outdoor living areas;</li> <li>- Architectural form and building appearance;</li> <li>- Car parking and access;</li> <li>- Landscaping;</li> <li>- Pedestrian and cycle paths to, from and within the proposed development; and</li> <li>- Design principles as outlined in the City of Bunbury’s Local Planning Strategy for Tourism and the Tourism Planning Taskforce Report (recommendation 10).</li> </ul> <p>2. Vehicle access to Lot 105 to be limited to the existing entry points from Old Coast Road.</p> <p>3. Issues of adequate buffers for any noise, dust, light or odour pollution impacts associated with the adjacent</p>

No.	Description of Land	Special Use(s)	Conditions
		<p><b>Short Stay Accommodation</b> means—</p> <p>“A building or buildings used for the purpose of providing accommodation for a person or persons on a temporary basis for a period not exceeding three months in duration within a 12 month period.”</p>	<p>Primary Regional Road or the nearby land zoned for Industrial purposes shall be formally addressed to the satisfaction of Council.</p> <p>4. Unrestricted Residential Accommodation can only be considered on strata Lot 40 and is limited to a maximum of 25 percent of the lot area as shown on an approved Development Guide Plan.</p> <p>5. The applicant undertaking a traffic study and subsequent Traffic Management Plan for the immediate locality including the intersection of the Old Coast Road and Australind Bypass to the satisfaction of the local government and Main Roads.</p> <p>6. The applicant submitting (concurrent with the submission of a DGP) a draft strata management statement to the satisfaction of the City of Bunbury and the Western Australian Planning Commission. Such management statement (to be approved by the City prior to the issuance of any planning approval) is to address the management of the short stay accommodation and the relationship to the permanent accommodation units.</p> <p>7. All Unrestricted Residential Accommodation shall be designed having due regard to the relevant provisions contained within the Residential Design Codes, to the satisfaction of local government.</p> <p>8. All short-stay accommodation units will be subject to a ‘Section 6’ restriction under the <i>Strata Titles Act 1985</i> whereby permanent occupancy of tourist accommodation will be limited to not more than three months in any 12 month period.</p> <p>9. A noise Mitigation Study is to be prepared (by a suitably qualified acoustic engineer) in accordance with the WAPC State Planning Policy 5.4—Road and Rail Transport Noise and Freight Considerations in Land Use Planning and address potential noise impacts from the—</p> <ul style="list-style-type: none"> <li>(i) Australind Bypass and Old Coast Road;</li> <li>(ii) Port Access Road and Rail Corridor;</li> <li>(iii) Proposed Bunbury Port expansion as identified in the ‘Buffer Definition Study’ to the satisfaction of the local government, Main Roads WA and Bunbury Port Authority. Any mitigation measures as a result of the Noise Mitigation Study are to be implemented concurrently with any development application.</li> </ul> <p>10. The applicant submitting (concurrent with any DGP) a Staging Plan/Program for construction and completion of the unrestricted residential and short stay accommodation units to be prepared and implemented to ensure that the development is constructed within a timeframe deemed acceptable to the City.</p>

No.	Description of Land	Special Use(s)	Conditions
			<p>11. At the subdivisional stage, the applicant ensuring action such that notifications are placed (in accordance with Section 6 of the <i>Strata Titles Act 1985</i>) on the Certificates of Title of the proposed "short-stay" lots confirming that the units are to be used for short stay occupancy only. The Notice(s) are to be included on the Deposited Plans and are to state as follows—</p> <p>"No person shall occupy any Tourist Accommodation Unit for more than a total of three months in any one 12-month period. In this regard a register of guests is to be made available for perusal by the City of Bunbury as required."</p> <p>12. The applicant shall liaise with the Department of Indigenous Affairs to determine if development is within 30m of registered sites on the adjoining land and provide written evidence to the local government in this regard.</p> <p>13. Any advertising signage along the Australind Bypass requires the approval of Main Roads.</p>

D. L. SMITH, Mayor.  
G. KLEM, Acting Chief Executive Officer.

**PL404\***

**PLANNING AND DEVELOPMENT ACT 2005**  
**APPROVED LOCAL PLANNING SCHEME AMENDMENT**  
*City of Mandurah*  
 Town Planning Scheme No. 3—Amendment No. 115

Ref: TPS/0315

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 Mandurah local planning scheme amendment on 8 February 2011 for the purpose of—

1. Rezoning Lots 5-19 and 34-36 Comet Street, Lots 1-4 Leslie Street, Lots 282-288 Dadger Street, Lot 289 Boundary Road, Lot 37 Gillark Street, Lot 41 Maria Street and Lots 1, 2, 20-33, 43-53 and 100-101 Leigh Street, Dudley Park from 'Residential R12.5/20' zone to the 'Residential R25' zone.
2. Modifying Scheme Maps accordingly.

P. CREEVEY, Mayor.  
M. NEWMAN, Chief Executive Officer.

**PL405\***

**PLANNING AND DEVELOPMENT ACT 2005**  
**APPROVED LOCAL PLANNING SCHEME AMENDMENT**  
*Town of Port Hedland*  
 Town Planning Scheme No. 5—Amendment No. 13

Ref: 853/8/4/6 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 Town of Port Hedland local planning scheme amendment on 8 February 2011 for the purpose of—

1. Deleting the definition for "Home Occupation" from Appendix 1 of the TPS 5.
2. Deleting the use class "Home Occupation" from the TPS 5 zoning table.

## 3. Inserting the following definitions into Appendix 1 of the TPS 5—

**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 that—

- (a) employs a maximum of 2 people that are not members of the occupier's household;
- (b) will not cause injury to or adversely affect the neighbourhood amenity;
- (c) does not occupy an area greater than 50 square metres or 50% of the dwelling area, whichever is the greater;
- (d) does not display a sign exceeding 0.2 square metres on land zoned residential;
- (e) does not involve the retail sale, display or hire of goods of any nature;
- (f) does not result in traffic difficulties caused by the inadequate provision of parking facilities, or a significant increase in traffic volumes in the neighbourhood;
- (g) does not involve the presence, use or calling of a vehicle greater than 3.5 tonnes tare weight; and
- (h) does not involve the use of an essential service of greater capacity than normally required in the zone.

**Home Office** means a business, service or profession carried out in a dwelling that does not—

- (a) cause injury to, or adversely affect, the neighbourhood amenity;
- (b) occupy an area greater than 30m<sup>2</sup>;
- (c) operate after 10 pm or before 6 am on any normal weekday;
- (d) operate on weekends or public holidays;
- (e) involve the delivery of any goods or materials on weekends or public holidays or between the hours of 7 pm and 6 am;
- (f) entail greater than one delivery of goods or materials per day, or three deliveries within any seven day period;
- (g) cause the emission of light, noise, odour, electrical interference, vibration, smoke, water or other waste products;
- (h) entail clients or customers travelling to and from the lot;
- (i) involve the cleaning, repair or maintenance of any vehicle at the premises;
- (j) require the regular storage of more than one commercial vehicle at the premises provided it is stored behind the building setback line;
- (k) involve the use of any vehicle with a tare weight of greater than 1.5 tonnes;
- (l) involve any advertising signs on the premises;
- (m) require any external change to the appearance of the building; or
- (n) employ any person who is not a member of the occupier's household.

**Mobile Business** means a business, service or profession where—

- (a) all work is conducted at the client's home or business premises;
- (b) storage of materials (including tools but excluding vehicles) is limited to no more than 30m<sup>2</sup>;
- (c) any associated office space at the premises is limited to a maximum of 20m<sup>2</sup>;
- (d) the business does not cause injury to, or adversely affect, the neighbourhood amenity;
- (e) no commercial vehicle is taken to or from the lot between the hours of 10:00 pm and 6:00 am on normal weekdays;
- (f) no commercial vehicle is taken to or from the lot on a weekend or public holiday;
- (g) no goods or materials are delivered to the lot on any weekend or public holiday;
- (h) no more than one delivery of goods or materials are delivered to the lot on any day, and no more than three deliveries within any seven day period;
- (i) the occupation will not result in the emission of light, noise, odour, electrical interference, vibration, smoke, water or other waste products;
- (j) no client or customer will travel to or from the lot;
- (k) no motor vehicle is cleaned, repaired or maintained at the premises;
- (l) no more than one vehicle is regularly stored on the premises providing it is stored behind the building setback line;
- (m) no vehicle used in conjunction with the mobile business has a tare weight of greater than 1.5 tonnes;
- (n) no advertising is erected on the premises;
- (o) no person is employed that is not a member of the household;
- (p) no external changes are required to any building.

## 4. Inserting the following use classes in the TPS 5 zoning table—

	Residential	Urban Development	Transient Workforce Accommodation	Town Centre	Commercial	Tourism	Mixed Business	Airport	Strategic Industry	Industry	Industrial Development	Rural	Rural Residential	Community	Health	Education
Home Business	AA	AA	AA	AA	~	AA	~	~	~	~	~	AA	AA	~	~	~
Home Office	P	P	P	P	~	P	~	~	~	~	~	P	P	~	~	~
Mobile Business	P	P	P	P	~	P	~	~	~	~	~	P	P	~	~	~

## 5. Amending the zoning table to change the use class “Office” to an “~” use in a Residential zone.

## 6. Inserting the following clause into TPS 5 section 4.1.3—

4.1.3 Unless otherwise referred to the planning approval of Council is not required for the following development of land—

- (k) The operation of a mobile business or home office from a residence, in a zone in which it is a use that is a permitted (P) use, except as otherwise required by the Scheme.

K. HOWLETT, Mayor.  
P. MARTIN, Chief Executive Officer.

## RACING, GAMING AND LIQUOR

### RA401\*

#### 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
APPLICATIONS FOR THE GRANT OF A LICENCE			
13871	Grey-Smith Holdings Pty Ltd	Application for the grant of a Liquor Store licence in respect of premises situated in Bindoon and known as Glenowen Cellar Door	15/03/2011
13901	'B' Shed Cafe JV Pty Ltd	Application for the grant of a Restaurant licence in respect of premises situated in Fremantle and known as Tasty Express @ 'B' Shed	15/03/2011

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

Dated: 11 February 2011.

B. A. SARGEANT, Director of Liquor Licensing.



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## WATER/SEWERAGE

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**WA401\*****WATER SERVICES LICENSING ACT 1995****SECTION 31 (5) AMENDMENT OF LICENCE**

Notice is given that the following water services operating licence has been amended—

Licensee:	Water Corporation
Commencement Date:	28 June 1996
Address of Licensee:	PO Box 100 LEEDERVILLE WA 6902
Classification:	Potable and Non-Potable Water Supply, Irrigation, Sewerage and Drainage Services
Term of Licence:	Up to and including 28 June 2021
Amendment:	Expansion of operating areas for potable and non-potable water supply and sewerage services, to match the State's Controlled Areas.
Inspection of Licence:	Economic Regulation Authority Level 6, 197 St Georges Terrace PERTH WA 6000 <a href="http://www.erawa.com.au">http://www.erawa.com.au</a>

LYNDON G. ROWE, Chairman, Economic Regulation Authority.

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## DECEASED ESTATES

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**ZX401****TRUSTEES ACT 1962****DECEASED ESTATES****Notice to Creditors and Claimants**

In the Estate of Clifford George Sutton, late of 25 Horsley Road, Denmark, 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 4 July 2010 are required by the personal representative, Graeme John Hill, of care of HHG Legal Group, 49 Peels Place, Albany, Western Australia, to send particulars of their claims to him by the 31st day of March 2011 after which date the personal representative may convey or distribute the assets having regard only to the claims of which he then has notice.

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**ZX402\*****TRUSTEES ACT 1962****DECEASED ESTATES****Notice to Creditors and Claimants**

Alfred Leslie Eaton late of 29 Turton Heights, Dongara in Western Australia.

Creditors and other persons having claims (to which section 63 of the *Trustees Act 1962*, relates) in respect of the estate of the deceased, who died on 6 October 2009 at Fremantle in Western Australia, are required by the personal representative, being Wendy Eaton to send particulars of their claims to c/- Edwards & Partners, PO Box 1066, Geraldton, WA, 6531 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.

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