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CONTENTS

PART 1

| | Page |
|--|------|
| Cemeteries Act 1986—Shire of Augusta-Margaret River—Cemeteries Amendment Local Law 2011..... | 3651 |
| East Perth Redevelopment Act 1991— | |
| East Perth Redevelopment (Return of Redeveloped Land - Stage 2) Order 2011..... | 3655 |
| East Perth Redevelopment (Subtracted Area - Stage 2) Regulations 2011..... | 3653 |
| Local Government Act 1995—Shire of Augusta-Margaret River— | |
| Activities in Thoroughfares and Public Places and Trading Amendment Local Law 2011 | 3652 |
| Cemeteries Amendment Local Law 2011..... | 3651 |

PART 2

| | |
|--------------------------------|------|
| Consumer Protection | 3657 |
| Deceased Estates | 3675 |
| Energy | 3657 |
| Marine/Maritime..... | 3657 |
| Minerals and Petroleum | 3658 |
| Parliament..... | 3662 |
| Planning | 3662 |
| Racing, Gaming and Liquor..... | 3674 |

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— PART 1 —

CEMETERIES

CE301*

CEMETERIES ACT 1986
LOCAL GOVERNMENT ACT 1995

Shire of Augusta-Margaret River

CEMETERIES AMENDMENT LOCAL LAW 2011

Under the powers conferred by the *Cemeteries Act 1986*, the *Local Government Act 1995* and under all other powers enabling it, the Council of the Shire of Augusta-Margaret River resolved on the 19 January 2011 to adopt the following local law.

1. Citation

This local law may be cited as the *Shire of Augusta-Margaret River Cemeteries Amendment Local Law 2011*.

2. Commencement

This local law comes into operation 14 days after the date of its publication in the *Government Gazette*.

3. Principal local law

In this local law, the *Shire of Augusta-Margaret River Cemeteries Local Law 2010* published in the *Government Gazette* on 5 March 2010, is referred to as the principal local law. The principal local law is amended.

4. Clause 3.2 amended

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

5. In Part 5—

- (a) delete clause 5.4.
- (b) delete clause 5.5.
- (c) redesignate clause numbers “5.6” and “5.7” to numbers “5.4” and “5.5” respectively.

6. Clause 7.20

In clause 7.20, delete subsection (3).

7. First Schedule amended

In the table in the First Schedule—

- (a) delete items 1 and 2; and
- (b) redesignate items numbered “3” through to “8” to numbers “1” through to “6” respectively.

Dated: 3 August 2011.

The Common Seal of the Shire of Augusta-Margaret River was affixed under the authority of a resolution of the Council in the presence of—

Cr R. COLYER, Shire President.
G. EVERSLED, Chief Executive Officer.

LOCAL GOVERNMENT

LG301*

LOCAL GOVERNMENT ACT 1995*Shire of Augusta-Margaret River***ACTIVITIES IN THOROUGHFARES AND PUBLIC PLACES AND TRADING
AMENDMENT LOCAL LAW 2011**

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the Shire of Augusta-Margaret River resolved on the 19 January 2011 to adopt the following local law.

1. Citation

This local law may be cited as the *Shire of Augusta-Margaret River Activities in Thoroughfares and Public Places and Trading Amendment Local Law 2011*.

2. Commencement

This local law comes into operation 14 days after the date of its publication in the *Government Gazette*.

3. Principal local law

In this local law, the *Shire of Augusta-Margaret River Activities in Thoroughfares and Public Places and Trading Local Law* published in the *Government Gazette* on 5 March 2010, is referred to as the principal local law. The principal local law is amended.

4. Clause 1.2 amended

In clause 1.2, insert the following definitions in alphabetical order—

local planning scheme means a local planning scheme of the local government made under the *Planning and Development Act 2005*;

5. Clause 5.16 amended

In clause 5.16, delete subclause (b).

6. Part 6 amended

(a) In clause 6.3, delete subclause (3).

(b) In clause 6.17(b)—

(i) delete “*Health Act 1911*” and insert “*Food Act 2008*”; and

(ii) delete “town planning scheme” and insert “local planning scheme”.

(c) In clauses 6.17(c) and 6.18(a), delete “under section 172 of the *Health Act 1911*” and insert “under the *Food Act 2008*”.

7. Clause 7.7 amended

Delete “*mutatis mutandis*” and insert “with appropriate modification”.

Dated: 3 August 2011.

The Common Seal of the Shire of Augusta-Margaret River was affixed under the authority of a resolution of the Council in the presence of—

Cr R. COLYER, Shire President.
G. EVERSLED, Chief Executive Officer.

PLANNING

PL301*

East Perth Redevelopment Act 1991

**East Perth Redevelopment (Subtracted Area -
Stage 2) Regulations 2011**

Made by the Governor in Executive Council.

1. Citation

These regulations are the *East Perth Redevelopment (Subtracted Area - Stage 2) Regulations 2011*.

2. Commencement

These regulations come into operation as follows —

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

3. Terms used

In these regulations —

order means an order made under regulation 5(2);

Schedule 1 means the *East Perth Redevelopment Act 1991* Schedule 1;

scheme means either of the following —

- (a) the *Metropolitan Region Scheme*;
- (b) the *City of Perth City Planning Scheme 2*.

4. Schedule 1 replaced

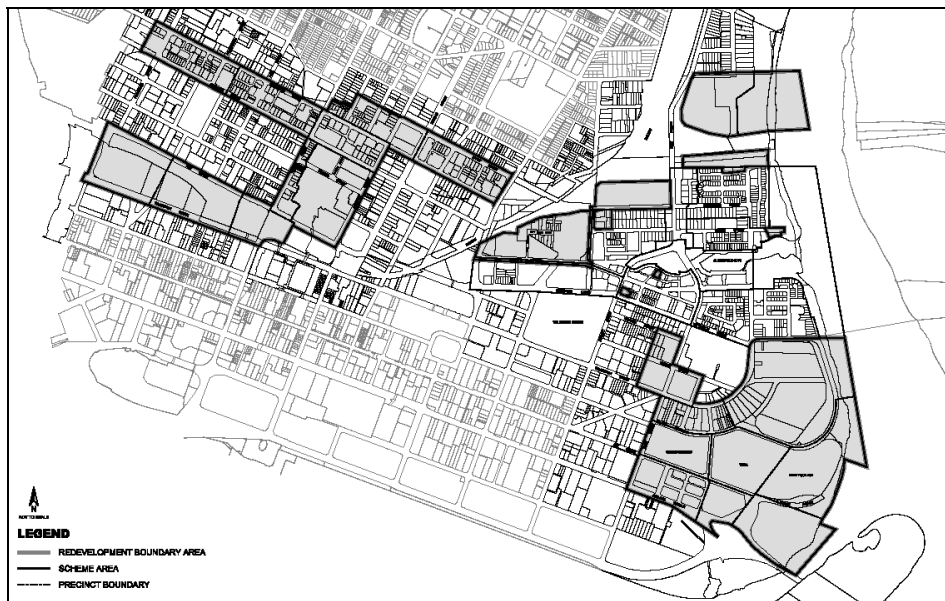
When an order takes effect, delete Schedule 1 and insert:

Schedule 1 — Redevelopment area

[s. 4]

All of the land and waters in the area described as the redevelopment area on Plan No. 3 held at the office of the Authority, that plan being certified by the Minister as being the plan prepared for the purpose of defining the redevelopment area.

For guidance, the redevelopment area is indicated in the following representation of Plan No. 3.



5. Minister may amend planning schemes

- (1) In this regulation —
subtracted area means the area that ceases to be in the redevelopment area when Schedule 1 is replaced under regulation 4.
- (2) The Minister may, by order published in the *Gazette*, amend a scheme to provide for any of the following —
 - (a) land in the subtracted area to be included in the area to which the scheme applies;
 - (b) land in the subtracted area to have a reservation or zoning under the scheme the same as, or similar to, that which applied to the land immediately before it ceased to be in the redevelopment area.
- (3) An order takes effect at the beginning of the day after the day on which it is published in the *Gazette*.

6. Other transitional matters

When an order takes effect, the effect of a decision, if any, previously made by the Authority or the Minister about a development application or an approval continues.

7. Expiry of regulations

- (1) These regulations expire when whichever of the following events happens first —
 - (a) an order takes effect;
 - (b) the period of 2 years, commencing on the day mentioned in regulation 2(b), ends.

- (2) The expiry of these regulations does not affect —
- (a) the amendment of the redevelopment area under regulation 4; or
 - (b) an amendment of a scheme under an order.

By Command of the Governor,

R. KENNEDY, Clerk of the Executive Council.

PL302*

East Perth Redevelopment Act 1991

East Perth Redevelopment (Return of Redeveloped Land - Stage 2) Order 2011

Made under the *East Perth Redevelopment (Subtracted Area — Stage 2) Regulations 2011* regulation 5 by the Minister.

1. Citation

This order is the *East Perth Redevelopment (Return of Redeveloped Land - Stage 2) Order 2011*.

Note that according to regulation 5(3) this order takes effect at the beginning of the day after the day on which this order is published in the *Gazette*.

2. Term used: subtracted area

In this order —

subtracted area means the subtracted area as defined in the *East Perth Redevelopment (Subtracted Area — Stage 2) Regulations 2011* regulation 5(1).

3. Application of amendments made by this order

An amendment made by this order applies to a scheme as in force when the order is made or as subsequently amended, except that it does not apply after its application is expressly terminated by an amendment to the scheme.

4. Metropolitan Region Scheme amended

(1) In this clause —

MRS means the Metropolitan Region Scheme as defined in section 3 of the Act;

WAPC means the Western Australian Planning Commission established by the *Planning and Development Act 2005* section 7.

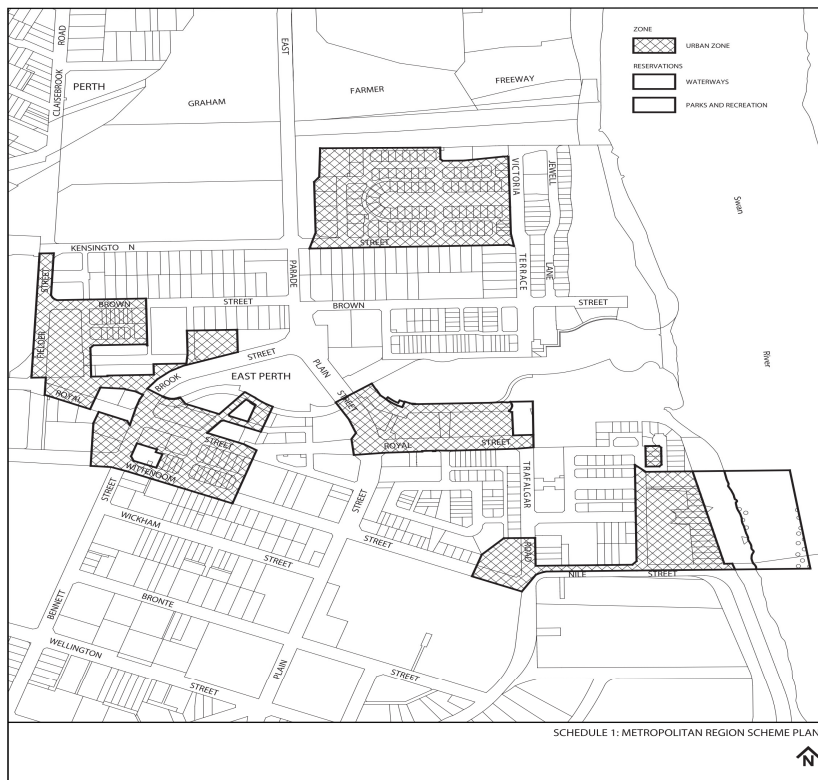
- (2) Amend the MRS by including the land in the subtracted area in the area to which the MRS applies.
- (3) Amend the MRS as required to give the land in the subtracted area the reservation or zoning under the MRS that is shown in the plan labelled as “Schedule 1: Metropolitan Region Scheme Plan” held at the WAPC’s office.
- (4) Schedule 1 contains a representation of that plan.

5. City of Perth City Planning Scheme 2 amended

Amend the *City of Perth City Planning Scheme 2* by including the land in the subtracted area in the area to which that scheme applies.

Schedule 1 — Reservation and zoning for Metropolitan Region Scheme

[cl. 4(4)]



JOHN DAY, Minister for Planning.

— PART 2 —

CONSUMER PROTECTION

CP401

ASSOCIATIONS INCORPORATION ACT 1987

CANCELLED ASSOCIATION

KAMBALDA COMMUNITY CENTRE INCORPORATED—A1007093K

Notice is hereby given that pursuant to Section 35(2) of the *Associations Incorporation Act 1987*, the incorporation of the above-named association has been cancelled as from the date of this notice.

Dated: 12 July 2011.

DAVID HILLYARD, Director, Retail and Services,
for Commissioner for Consumer Protection.

ENERGY

EN401*

ELECTRICITY INDUSTRY ACT 2004

GRANT OF LICENCE

Notice is given that the following Retail licence has been granted—

| | |
|------------------------|--|
| Licensee: | EDL Pilbara Pty Ltd |
| Issue Date: | 27 August 2011 |
| Address of Licensee: | Garden City Office Park Building 17, 2404 Logan Road PO Box 4046 Eight Mile Plains Queensland 4113, Australia |
| Classification: | Retail (ERL16) |
| Term of Licence: | Up to and including 26 August 2026 |
| Area Covered: | The licence area is the area as set out in plan ERA-EL-127. |
| Inspection of Licence: | Economic Regulation Authority 6th Floor 197 St Georges Terrace Perth WA 6000 http://www.erawa.com.au |

LYNDON G. ROWE, Chairman,
Economic Regulation Authority.

MARINE/MARITIME

MA401*

WESTERN AUSTRALIAN MARINE ACT 1982

EXEMPTION

Department of Transport,
Fremantle WA, 6 September 2011.

Exemption from compliance with certain requirements of the *Western Australian Marine Act 1982* for coach vessels involved in event activities for the Perth 2011 ISAF Sailing World Championships.

I, David Harrod, General Manager Marine Safety, of the Department of Transport (Department), a delegate of the Chief Executive Officer, acting pursuant to the power in section 115A of the *Western*

Australian Marine Act 1982 (the Act), hereby exempt the class of vessels set out in 1 below from compliance with those provisions of the Act set out in 2 below, when being let for hire and reward or for any other consideration whatsoever, for the sole purpose of being used as bona fide Perth 2011 ISAF Sailing World Championships coach vessels. This exemption is subject to the further conditions set out in 3 below.

1. Class of vessels

1.1 Definition- a coach vessel is a vessel that provides support and instruction to vessels competing in the Perth 2011 ISAF World Championships (Event), and which is on the list of coach vessels provided to the Department in accordance with the approval provided for the Event to occur under Regulation 51C of the *Navigable Waters Regulations 1958* (the Regulations).

1.2 Coach vessels that are pleasure *vessels* as defined by section 98 of the Act, and that hold and maintain current registration in accordance with Part VA of the Regulations.

1.3 Coach vessels that are *commercial vessels* (as defined by section 3 of the Act), apart from those to which Division 16 of Part 2 of the Act currently applies.

2. Provisions of the Act

2.1 Coach vessels which are currently registered as *pleasure vessels* are exempt from compliance with all of Part 2 of the Act.

2.2 Coach vessels which are *commercial vessels* are exempt from compliance with Divisions 2, 3 and 16 of Part 2 of the Act.

2.3 This exemption is valid between: 1 October 2011 until 31 December 2011 inclusive.

3. This exemption is subject to the following conditions:

3.1 The exemption only applies whilst the coach vessels are being let for the sole purpose of undertaking bona-fide activities directly associated with the Perth 2011 ISAF World Championships (Event) and which Event and any related activities have been approved by the Department under regulation 51C of the Regulations, including course familiarisation, coaching, transiting to and from the approved course areas, and the towing of competitor craft to and from the course areas.

3.2 Prior to use, coach vessels must have been—

3.2.1 Accredited by the Event organiser—(Western Australia 2011 Pty Ltd), and be specifically visibly identifiable as vessels accredited as being used for the Event in accordance with the Perth 2011 Coach Boat Operating Procedures provided to the Department as a condition of the Event approval under regulation 51C; and

3.2.2 All *pleasure vessels* must have been inspected for compliance with and confirmed as suitable for use in accordance with the requirements detailed in the *Perth 2011 ISAF World Championships Coach Vessel Inspection Check List* that forms an addendum to this exemption; and

3.2.3 Vessels being operated under this exemption must be separately identified as such on the list of vessels accredited by the Event organiser that must be submitted by to the Department of Transport's Supervising Marine Officer at least 2 weeks prior to the Event's commencement.

3.3 Vessels to which this exemption applies must not be operated outside of the hours between sunset and sunrise.

3.4 This exemption does not apply to vessels being used for any activity not directly associated with the Event.

3.5 The Event organisers must provide the vessel master and crew a comprehensive briefing on all aspects of vessel operation and handling, local rules / knowledge and safety and emergency procedures prior to the operation of any vessel that this exemption applies.

This instrument is referred to as WAMA-2011-00753.

DAVID HARROD, General Manager,
Marine Safety, Department of Transport.

MINERALS AND PETROLEUM

MP401*

PETROLEUM AND GEOTHERMAL ENERGY RESOURCES ACT 1967

PETROLEUM (SUBMERGED LANDS) ACT 1982

DISCRETE AREA RELEASE

Invitation for Applications for the Grant of Petroleum Exploration Permits

Release Date: Tuesday, 6 September 2011

Closing Date: Thursday, 8 March 2012

AREAS AVAILABLE

Applications are invited for the grant of exploration permits over the following discrete areas within Western Australia's Canning, Perth and Northern Carnarvon Basins.

Applications will be received up until 4.00 pm on Thursday, 8 March 2012. Applicants need to observe the closing time and date. Any applications received after the closing time and date will not be considered.

PGERA67

Areas L11-5, L11-7, L11-8, L11-9, L11-10, L11-11, L11-12 and L10-12

AREA L11-5—Canning Basin

1:1 000 000 Broome Map Sheet [SE51]

| Block No. | Block No. | Block No. | Block No. |
|------------------|------------------|------------------|------------------|
| 7339 | 7340 | 7411 | 7412 |
| 7417 | 7418 | 7482 | 7483 |
| 7484 | 7485 | 7486 | 7487 |
| 7488 | 7489 | 7490 | 7548 |
| 7549 | 7550 | 7551 | 7552 |
| 7553 | 7554 | 7555 | 7556 |
| 7557 | 7558 | 7559 | 7560 |
| 7561 | 7562 | 7563 | 7564 |
| 7620 | 7621 | 7622 | 7623 |
| 7624 | 7625 | 7626 | 7627 |
| 7628 | 7629 | 7630 | 7634 |
| 7635 | 7636 | 7637 | 7699 |
| 7700 | 7701 | 7702 | 7707 |
| 7708 | 7709 | 7710 | 7771 |
| 7772 | 7843 | 7844 | |

Contains 59 whole blocks.

AREA L11-7—Northern Carnarvon Basin

1:1 000 000 Hamersley Range Map Sheet [SF50]

| Block No. | Block No. | Block No. | Block No. |
|------------------|------------------|------------------|------------------|
| 5526 | 5527 | 5528 | 5597 |
| 5598 | 5599 | 5600 | 5601 |
| 5602 | 5603 | 5604 | 5672 |
| 5673 | 5674 | 5675 | 5744 |
| 5745 | 5746 | | |

Contains 18 whole blocks.

AREA L11-8—Perth Basin

1:1 000 000 Perth Map Sheet [SH50]

Block No.

6385

Contains 1 whole block.

AREA L11-9—Perth Basin

1:1 000 000 Perth Map Sheet [SH50]

| Block No. | Block No. | Block No. | Block No. |
|------------------|------------------|------------------|------------------|
| 6387 | 6459 | 6460 | 6531 |
| 6532 | | | |

Contains 5 whole blocks.

AREA L11-10—Perth Basin

1:1 000 000 Perth Map Sheet [SH50]

| Block No. | Block No. | Block No. | Block No. |
|------------------|------------------|------------------|------------------|
| 6818 | 6889 | 6890 | 6961 |

Contains 4 whole blocks.

AREA L11-11—Perth Basin

1:1 000 000 Perth Map Sheet [SH50]

| Block No. | Block No. |
|------------------|------------------|
| 7177 | 7178 |

Contains 2 whole blocks.

AREA L11-12—Perth Basin

1:1 000 000 Perth Map Sheet [SH50]

| Block No. | Block No. | Block No. | Block No. |
|------------------|------------------|------------------|------------------|
| 7108 | 7180 | 7252 | 7324 |
| 7396 | 7468 | 7540 | 7541 |
| 7542 | 7612 | 7613 | |

Contains 11 whole blocks.

AREA L10-12—Perth Basin

1:1 000 000 Perth Map Sheet [SH50]

| Block No. | Block No. | Block No. | Block No. |
|------------------|------------------|------------------|------------------|
| 5371 | 5372 | 5373 | 5374 |
| 5375 | 5443 | 5444 | 5445 |
| 5446 | 5447 | 5448 | 5449 |
| 5516 | 5517 | 5518 | 5519 |
| 5520 | 5521 | 5589 | 5590 |
| 5591 | 5592 | 5661 | 5662 |
| 5663 | 5664 | 5733 | 5734 |
| 5735 | 5736 | 5805 | 5806 |
| 5807 | 5808 | 5877 | |

Contains 35 whole blocks.

Combined—PGERA67 and P(SL)A82**Areas L11-6 and T11-3**

These areas comprise blocks described below which straddle the baseline dividing the *Petroleum and Geothermal Energy Resources Act 1967* from the *Petroleum (Submerged Lands) Act 1982*.

Despite the two statutes involved, only a single combined application, proposing a unified work program, is necessary. However, submission of a pro-forma in the approved manner and application fee specific to each of the legislations is required and in this instance totals **\$9,864.00** (non-refundable).

While two permits will be issued to the successful applicant, those permits will, as far as the legislation allows, be dealt with as one.

While these release areas interface the Territorial Baseline and/or three nautical mile limit of coastal waters, they are captured to the AMB Version 2, 2006 data set.

AREA L11-6—Northern Carnarvon Basin

1:1 000 000 Hamersley Range Map Sheet [SF50]

| Block No. | Block No. | Block No. | Block No. |
|------------------|------------------|------------------|------------------|
| 5383 (part) | 5384 (part) | 5385 (part) | 5386 (part) |
| 5387 (part) | 5388 (part) | 5389 (part) | 5454 |
| 5455 | 5456 | 5457 | 5458 |
| 5459 | 5460 | 5461 | 5529 |
| 5530 | 5531 | 5532 | 5533 |

Contains 20 whole and part blocks.

AREA T11-3—Northern Carnarvon Basin

1:1 000 000 Hamersley Range Map Sheet [SF50]

| Block No. | Block No. | Block No. | Block No. |
|------------------|------------------|------------------|------------------|
| 5311T (part) | 5312T (part) | 5313T (part) | 5314T (part) |
| 5315T (part) | 5316T (part) | 5317T (part) | 5383T (part) |
| 5384T (part) | 5385T (part) | 5386T (part) | 5387T (part) |
| 5388T (part) | 5389T (part) | | |

Contains 14 part blocks.

APPLICATION DETAILS

Central to any application made is the program of work proposed for each year of the six year term. Applications are to be made in accordance with Section 31 of the *Petroleum and Geothermal Energy Resources Act 1967* and Section 21 of the *Petroleum (Submerged Lands) Act 1982* as appropriate. Consideration of an application for the grant of a Petroleum Exploration Permit shall take into account work programs relative to the whole of the area applied for, the adequacy of the work program, the applicant's technical and financial ability to undertake the work, and the past performance of the applicant parties. Permits are awarded on the understanding that the first two years work commitment will be fulfilled without variation.

Where there is more than one applicant to the application, the percentage participating interest of each party to the application is to be supplied including evidence that a satisfactory settlement has been, or can be, reached on a Joint Operating Agreement (copy of Heads of Agreement will generally suffice). All applicant parties must provide supportable evidence of adequate financial capabilities to undertake the work bid and/or proven ability to raise funds for exploration purposes.

The boundaries of Petroleum Exploration Permits granted where boundaries about the coastal-offshore maritime boundary (3NM limit) and/or the coastal-inshore mean low water mark boundary (Territorial baseline) are defined by the Australian Maritime Boundary dataset current at the time of grant of title. The permit boundaries remain static while the permit is in force and subject to change at each renewal or change in title status in line with the most recent Australian Maritime Boundary dataset.

Applicants' attention is drawn to the provisions of Division 3A of the *Petroleum and Geothermal Energy Resources Act 1967*, which provides for Petroleum and Geothermal titles to subsist in respect to the same blocks.

Applicants should also make themselves aware of the existence of any areas which have the potential to restrict exploration activities, e.g., National Parks, Nature Reserves, Marine Parks, World Heritage Areas, Conservation Reserves, Defence Areas and Mining Titles.

Insofar as Reserved Land is concerned, entry for exploration purposes is subject to approval by the Minister. In this regard, it should be noted that Government policy is such that petroleum extraction from within National Parks, Nature Reserves and access to Conservation Estates should not be presumed.

In respect to internal waters areas, impacts on fishing activities should also be considered. Applicants should note that they will be required to initiate contact with relevant industry bodies concerning their exploration activities at the earliest possible stage when planning operations. Due regard must also be given to recreational fishing vessels at all times.

Any applications over onshore areas administered under the *Petroleum and Geothermal Energy Resources Act 1967*, including waters containing islands, may be subject to the provisions of the *Commonwealth Native Title Act 1993* and applicants should be prepared to negotiate with Native Title parties pursuant to the right to negotiate provisions of the NTA. Plans showing these claim boundaries are available as part of the information package.

Applicants should also be aware that onshore areas (including islands) available for petroleum application are subject (at least in part) to Native Title claims. Plans showing these claim boundaries are available as part of the release package.

An information package on the release areas detailing the criteria for assessment of applications, pro-forma for applying in the approved manner, and the conditions to apply following the award of a permit, including a plan of the release areas is available on CD. Copies of the CD can be obtained from the Petroleum Division, Department of Mines and Petroleum by contacting the Petroleum Applications Receiving Officer on (08) 9222 3269.

Special Notices

Each release area contains at least one or more of the following: Environmentally Sensitive Areas (ESA), Red Book Areas, Threatened Ecological Communities (TEC), Nature Reserves (NR) and National Parks (NP). Accordingly, additional environmental assessment is likely to be required for any future petroleum exploration.

LODGEMENT OF APPLICATIONS

Applications, together with supporting data, should be submitted in the following approved manner and accompanied by fee of **\$4,932.00** (non-refundable) payable to the Department of Mines and Petroleum through an Australian Bank or by Australian bank cheque. Please note that fees are subject to variation, including Consumer Price Index (CPI) adjustments. The current fee schedule should be checked prior to payment.

The following special instructions should be observed—

- The application should be sealed and clearly marked '**Application for Petroleum Exploration Permit—Commercial-in-Confidence**'.
- Unless delivered by hand to the Petroleum Applications Receiving Officer, the sealed application (as described above) should be enclosed in a plain covering envelope or package and forwarded to the following address—

Executive Director
Petroleum Division
Department of Mines and Petroleum
11th Floor, Mineral House
100 Plain Street
EAST PERTH WA 6004

Attention: Petroleum Applications Receiving Officer

Confirmation of receipt of applications (delivered and received by hand) will be issued by the Petroleum Applications Receiving Officer.

Applicants need to observe the closing time and date as published in the release package. Applications received after the closing time and date will not be considered.

PARLIAMENT

PA401*

PARLIAMENT OF WESTERN AUSTRALIA
ROYAL ASSENT TO BILLS

It is hereby notified for public information that the Governor has Assented in the name and on behalf of Her Majesty the Queen, on the dates shown, to the undermentioned Acts passed by the Legislative Council and the Legislative Assembly during the First Session of the Thirty-Eighth Parliament.

| Title of Act | Date of Assent | Act No. |
|---|-----------------------|----------------|
| Workers Compensation and Injury Management Amendment Act 2011 | 31 August 2011 | 31 of 2011 |

MALCOLM PEACOCK, Clerk of the Parliaments.

Date: 1 September 2011.

PLANNING

PL401*

PLANNING AND DEVELOPMENT ACT 2005
METROPOLITAN REGION SCHEME MAJOR AMENDMENT 1180/41
COCKBURN COAST DISTRICT STRUCTURE PLAN
Outcome of Amendment

It is hereby notified for public information that the Cockburn Coast District Structure Plan amendment to the Metropolitan Region Scheme (MRS) has been submitted before both Houses of Parliament in accordance with the provisions of section 56 of the *Planning and Development Act 2005*. This amendment, as depicted on Western Australian Planning Commission (WAPC) plan number 3.2331/1, is effective in the MRS on and from 16 August 2011.

By virtue of section 126(1) of the *Planning and Development Act 2005*, the City of Cockburn Town Planning Scheme No. 3 is amended to give effect to the reservations included in MRS Amendment 1180/41.

TONY EVANS, Secretary,
Western Australian Planning Commission.

PL402*

PLANNING AND DEVELOPMENT ACT 2005
METROPOLITAN REGION SCHEME MINOR AMENDMENT 1205/57
SOUTHERN RIVER PRECINCT 3F
Approved Amendment

File: 833-2-25-59

The Minister for Planning has approved, as advertised, the abovementioned amendment to the Metropolitan Region Scheme. The amendment is shown on Western Australian Planning Commission (WAPC) plan number 3.2334 and is effective from the date of publication of this notice in the *Government Gazette*.

During the amendment process, the City of Gosnells requested, pursuant to section 126(3) of the *Planning and Development Act 2005*, that the WAPC amend its Town Planning Scheme No. 6 for land included in the proposal. This request was agreed to by the WAPC and the urban zoned land included within MRS Amendment 1205/57 is transferred from the Rural zone to the Business Development zone in the local planning scheme. This amendment to Town Planning Scheme No. 6 is effective from the date of publication of this notice in the *Government Gazette*.

Copies of the amendment and the accompanying report on submissions are available for public inspection from Tuesday 6 September 2011 to Friday 7 October 2011 at—

- Western Australian Planning Commission, 140 William Street, Perth
- J S Battye Library, Level 3 Alexander Library Building, Perth Cultural Centre
- City of Gosnells
- City of Armadale

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

TONY EVANS, Secretary,
Western Australian Planning Commission.

PL403*

PLANNING AND DEVELOPMENT ACT 2005
METROPOLITAN REGION SCHEME MINOR AMENDMENT 1206/57
JANE BROOK STRUCTURE PLAN AREA

Approved Amendment

File: 833-2-21-112

The Minister for Planning has approved, with modification/as advertised, the abovementioned amendment to the Metropolitan Region Scheme. The amendment is shown on Western Australian Planning Commission (WAPC) plan number 3.2387 and is effective from the date of publication of this notice in the *Government Gazette*.

By virtue of section 126(1) of the *Planning and Development Act 2005*, the City of Swan Local Planning Scheme is amended to give effect to the reservation(s) included in MRS Amendment 1206/57.

During the amendment process, the City of Swan requested, pursuant to section 126(3) of the *Planning and Development Act 2005*, that the WAPC amend its Town Planning Scheme No 17 for land included in the proposal. This request was agreed to by the WAPC and Pt Lot 502 Jane Brook Drive and portion of Pt Lot 19 Huntsman Terrace, Jane Brook will be transferred to the residential development zone in Town Planning Scheme No. 17. This amendment to Town Planning Scheme No 17 is effective from the date of publication of this notice in the *Government Gazette*.

Copies of the amendment and the accompanying report on submissions are available for public inspection from Tuesday 6 September 2011 to Friday 7 October 2011 at—

- Western Australian Planning Commission, 140 William Street, Perth
- J S Battye Library, Level 3 Alexander Library Building, Perth Cultural Centre
- City of Swan
- Shire of Mundaring

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

TONY EVANS, Secretary,
Western Australian Planning Commission.

PL404*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT

City of Rockingham

Town Planning Scheme No. 2—Amendment No. 100

Ref: TPS/0471

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 18 August 2011 for the purpose of amending the Scheme Text by modifying Additional Use No. 23 of Schedule No. 2 as follows—

| No. | Site Description | Additional Use | Special Conditions |
|-----|------------------------------|------------------------------|--------------------|
| 23 | Lot 685 (No. 2) Grange Drive | Offices and Consulting Rooms | Planning Approval. |

B. W. SAMMELS, Mayor.
A. HAMMOND, Chief Executive Officer.

PL405*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT

City of Bunbury

Town Planning Scheme No. 7—Amendment No. 41

Ref: TPS/0272

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 25 July 2011 for the purpose of—

1. Modifying clause 4.3.3(d) of the Scheme Text such that it reads as follows—
 - (d) the change is to an incidental use approved by the local government, and the predominant use of the land does not change.

2. Inserting an additional “Note” number 5 associated with clause 4.3.3 (d) of the Scheme Text that reads as follows—

Note:

5. An “incidental use” is defined in Schedule 1—Dictionary of Defined Words and Expressions of the Scheme.

3. Deleting footnote found at the end of Table No. 1—Zoning Table of the Scheme Text.
 4. Deleting clause 4.13 from the Scheme Text.
 5. Deleting clause 5.9.4.2.2 from the Scheme Text.
 6. Modifying clause 5.9.4.5 from the Scheme Text such that it reads as follows—

5.9.4.5 Maximum and Minimum Floor Areas

5.9.4.5.1 Within the Mixed Business Zone, a minimum net lettable area of 200m² per lot (including a strata or survey strata lot) applies for “showroom” uses.

5.9.4.5.2 Within the Mixed Business Zone, a maximum net lettable area of 200m² per lot, and 200m² per strata or survey strata scheme, applies for “office” uses (exclusive of ‘incidental’ office uses).

7. Inserting a definition of “ancillary” under clause 1.1 General Definitions of Schedule 1—Dictionary of Defined Words and Expressions of the Scheme Text such that it reads as follows—

“**ancillary**” when used in relation to an “incidental use” means that the use is functionally related to the predominant use;

D. L. SMITH, Mayor.

A. BRIEN, Chief Executive Officer.

PL406*

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

Town Planning Scheme No. 7—Amendment No. 33

Ref: TPS/0109

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 17 August 2011 for the purpose of—

1. Replacing the section heading “5.7 Site and Development Requirements” with “5.7 Vehicle Parking”.
 2. Deleting clause “5.7.1 Car Parking” and replacing with the following—

5.7.1 Purpose of Vehicle Parking Standards and Requirements

The purpose and intent of the vehicle parking provisions is to ensure that the development and use of premises for the purposes of access and/or parking throughout the Scheme Area—

- (a) meet the needs of the community, whilst ensuring that the safety and amenity of the City is not compromised;
 (b) comply with the general standards of the Scheme;
 (c) satisfy the development requirements of the relevant zone; and
 (d) are located, designed, constructed and managed in accordance with relevant State Planning Policy and/or Local Planning Policy.

5.7.2 Application of Vehicle Parking Standards and Requirements

5.7.2.1 With the exception of those aspects of development to which the Residential Design Codes apply, the provisions of this clause 5.7 apply to all development and/or use of premises in the Scheme Area for the purposes of vehicle parking where the use is indicated as permitted or discretionary under the Zoning Table, or is a use not listed, and/or where parking is incidental or ancillary to a permitted or discretionary use within the relevant zone or reserve.

5.7.2.2 The development and/or commencement of use of premises for the purpose of vehicle access and parking, where “Car Park” is a permissible use in the relevant zone in the Zoning Table, and/or where parking is incidental or ancillary to a permissible use within the relevant zone or reserve, is development requiring the prior planning approval of the Local Government in accordance with the provisions of the Scheme.

5.7.3 General Standards and Requirements for Vehicle Parking

5.7.3.1 The development and/or use of premises for the purposes of vehicle access and parking is to be to the specifications and satisfaction of the Local Government in accordance with the standards and requirements of—

- (a) the Residential Design Codes for residential development/use;
 (b) the Scheme; and
 (c) any relevant Local Planning Policy or Local Law.

5.7.3.2 The Car Parking Table (Table 2) indicates, subject to the provisions of section 5.5 of the Scheme, the parking requirements that apply to each use class specified therein. Where there is more than one use on a particular lot/development site or within an individual tenancy, the parking requirement is to be calculated separately for each such use, whether or not such use is incidental to the predominant use. Car parking is to be provided in accordance with the provisions of the Scheme and any relevant Local Planning Policy, and shall be designed, constructed and maintained to the satisfaction of the Local Government.

5.7.3.3 Provision for the parking of service vehicles, motorcycles and bicycles shall be made in accordance with the Scheme and any relevant Local Planning Policy, and shall be designed, constructed and maintained to the satisfaction of the Local Government.

5.7.3.4 The Local Government may adopt Local Planning Policies which set out Performance Criteria against which stipulated elements of the use/development of premises for access and parking are to be assessed and approved. Any new use/development of premises, and any addition to or modification of an existing use/development or variation to a condition of planning approval, is required to comply with the relevant Performance Criteria in the applicable Local Planning Policies. The Local Planning Policies shall also include Acceptable Development provisions for each of the stipulated elements of a use/development. If a use/development complies with the applicable Acceptable Development provision, it is deemed to comply with the relevant Performance Criteria.

5.7.3.5 Any off-street vehicle parking or loading facility which is permitted within a premises but not required by the Scheme, shall comply with this section and any relevant Local Planning Policy with respect to the location, design, construction and operation of such facilities.

5.7.3.6 Subject to any provision of the Scheme and/or a Local Planning Policy to the contrary, parking bays shall be provided in relation to any use or development on a lot/development site as off-street, and unless otherwise approved by the Local Government in writing, shall be contained within the boundaries of the lot/development site.

5.7.3.7 When the use of any premises is changed to a use class that under the Scheme requires a greater number of parking bays, additional parking bays shall be provided to meet the requirements of the new use in accordance with the Scheme.

5.7.3.8 Premises that are the subject of an application for planning approval and/or an approved development or use or a change of use to which clause 5.7.3.7 applies, shall not be occupied until all required parking and loading facilities have been provided to the satisfaction of the Local Government.

5.7.3.9 Where an existing use/development is enlarged or intensified, such as construction of an additional building or an extension of an existing building, additional parking bays to meet the requirements of section 5.7 shall be provided in respect of the additional building or extension only, provided that—

- (a) there is adequate provision of off-street parking bays servicing the existing use/development; and
- (b) the use of the land remains the same and any existing area of parking is not reduced, or if disturbed, any existing parking bays are replaced in the new use/development.

Otherwise the number of parking bays provided upon the enlargement or intensification shall be the number required under the Scheme for the total use/development, unless the Local Government otherwise approves in respect of any shortfall for the existing use/development.

5.7.3.10 Unless with the express written approval of the local government, parking facilities shall not be used for the storage of—

- (a) vehicles for display or sale; or
- (b) recreational vehicles; or
- (c) commercial vehicles, trucks or trailers (unless the parking facilities used to store such commercial vehicles trucks or trailers are in excess of the minimum requirement); or
- (d) vehicles under repair.

5.7.3.11 Where land is set aside as an off-street parking area, no building or structure is to be erected, placed or allowed to remain on such land unless it has received relevant approval and is solely to accommodate parked vehicles. If part of a parking area is not immediately required for parking the Local Government may in writing approve its use temporarily for open storage, lawns and gardens or trade display provided that such use does not contravene any other provision of this Scheme.

5.7.3.12 When considering an application for planning approval, the Local Government may impose conditions regarding the required number and/or method of provision of parking bays/areas. In particular, the Local Government may impose conditions relating to—

- (a) the proportion of parking bays to be enclosed and/or covered; and
- (b) the proportion of parking bays to be below natural ground level; and
- (c) the means of access to parking bays/areas and the adequacy of any vehicular manoeuvring area; and
- (d) the design and location of parking bays/areas within premises and their effect on the existing streetscape and the amenity of adjoining development and the locality generally, including the potential impact of bays should they later be enclosed and/or covered; and

- (e) the extent to which parking bays/areas are located within building setback areas; and
- (f) the location of proposed pathways and vehicular crossings, and the impact on both pedestrian and vehicular traffic movement and safety; and
- (g) the design and location of parking bays/areas to address on-site climatic effects (wind, rain, sun, etc) and off-site impacts (noise, light, vibration, etc) to adjoining premises.

5.7.3.13 Subject to the Residential Design Codes, the Local Government will not require proponents to provide parking for proposals of development or change of use less than 500 m² of gross leasable area within the City Centre Zone.

5.7.4 Units of Measurement for Vehicle Parking Standards and Requirements

5.7.4.1 The units of measurement for calculating the number of required parking bays shall be interpreted as follows—

- (a) when the unit of measurement is based on the number of employees, the shift or employment period during which the greatest number of employees is present at the premises shall be used in the computation; and
- (b) when the unit of measurement is based on the “net lettable area” the meaning of net lettable area (nla) is as defined under the Scheme, and shall apply for determining the required number of parking bays.

5.7.4.2 Any other units of measurement used in the Car Parking Table not defined under section 1.7 and/or clause 5.7.4.1 of the Scheme are as defined by the Local Government in determining an application for planning approval.

5.7.5 Car Parking Table

5.7.5.1 The Car Parking Table (Table 2) indicates the minimum number of car parking bays required according to the use of the land within the Scheme Area.

5.7.5.2 For each Use Class listed in column one of the Car Parking Table, the minimum number of parking bays to be provided is listed in column two of the Car Parking Table. Unless otherwise specified, the minimum number of parking bays to be provided for each use is to be determined per lot, including a strata or survey strata lot.

5.7.5.3 Where the number of parking bays calculated for a development/use in accordance with the Car Parking Table is not a whole number, the minimum number of parking bays required shall be rounded up to the next whole number.

5.7.5.4 Where more than one use is permitted on a lot/development site, the total number of parking bays to be provided is determined by the accumulated number of bays required for each use as a proportion of the total area of the premises.

5.7.5.5 Notwithstanding clause 5.7.5.4, where more than one tenancy is proposed/exists on a lot/development site, the total number of parking bays is determined by the accumulated number of bays required for each tenancy as a proportion of the total area of a use on the premises.

5.7.5.6 Where a use class is not listed in the Car Parking Table, the Local Government is to determine the number of parking bays to be provided having due regard to—

- (a) any relevant Local Planning Policy;
- (b) any other matters to be considered by the Local Government referred to in section 10.2 of the Scheme;
- (c) the nature of the proposed use/development;
- (d) the parking requirement in the Car Parking Table for the most applicable or equivalent other use class which is listed in the Zoning Table / Car Parking Table;
- (e) the number of persons likely to occupy or be accommodated within the premises;
- (f) the maintenance of road safety and effective traffic management; and
- (g) the amenity of the neighbourhood.

5.7.5.7 In relation to clause 5.7.4.2, where the unit of measurement for vehicle parking refers to the maximum number of persons that a building is designed to accommodate, where referred to under the minimum car parking requirements of the Car Parking Table, shall be determined by the Local Government with consideration of the Building Code of Australia and the most applicable or equivalent type of use under the *Health (Public Buildings) Regulations 1992* as amended.

5.7.5.8 The number of employees, where referred to under the minimum car parking requirements of the Car Parking Table, is the total number of persons employed on the premises during business operating hours, as determined by the Local Government.

3. Deleting the existing “Table No. 2 Car Parking Guidelines” and replacing with the following “Table 2—Car Parking Table”—

Table 2—Car Parking Table

| Use Classes | Minimum Car Parking Requirements |
|--|--|
| Agricultural & Primary Industry Uses: | |
| Agriculture—Extensive | As determined by the local Government with consideration of Local Planning Policy. |

| Use Classes | Minimum Car Parking Requirements |
|--------------------------------------|---|
| Agriculture—Intensive | As determined by the local Government with consideration of Local Planning Policy. |
| Agroforestry | As determined by the local Government with consideration of Local Planning Policy. |
| Animal Establishment | As determined by the local Government with consideration of Local Planning Policy. |
| Animal Husbandry—Intensive | As determined by the local Government with consideration of Local Planning Policy. |
| Plantation | As determined by the local Government with consideration of Local Planning Policy. |
| Rural Pursuit | 1 bay in addition to the residential requirement. |
| Winery | 1 bay per employee; plus 1 bay per 50 square metres of nla of buildings and outdoor areas open to the public for display, sale or exhibition, where the premises incorporates such an area; plus an additional 1 bay per 4 seats or 1 bay per 5 square metres of nla of buildings and outdoor areas used for drinking and/or dining area, whichever is the greater, where the premises incorporates such an area. |
| Commercial Uses: | |
| Convenience Store | 1 bay per 20 square metres of nla of buildings and outdoor areas used for convenience store purposes, but with a minimum of not less than 5 bays, whichever is the greater; plus an additional 1 bay per petrol and/or service bay, where premises involve the retail sale of petrol. |
| Exhibition Centre | 1 bay for every 4 seats or 1 bay for every 4 persons the building is designed to accommodate, whichever is the greater, as determined by the Local Government. |
| Market | 1 bay per 20 square metres of nla of buildings and outdoor areas used for market purposes, but with a minimum of not less than 5 bays, whichever is the greater. |
| Motor Vehicle, Boat or Caravan Sales | 1 bay per 200 square metres of nla of buildings and outdoor areas used for display, sale or hire; but with a minimum of not less than 5 bays, whichever is the greater; plus an additional 4 bays per vehicle service and/or work bay or 1 bay for every 50 square metres of nla, whichever is the greater, where the premises incorporate repair and/or servicing. |
| Nursery | 1 bay per employee, plus 1 bay per 50 square metres of nla of buildings and outdoor areas open to the public and used for display or sale. |
| Office | 1 bay per 30 square metres of nla, but with a minimum of not less than 5 bays, whichever is the greater. |
| Restricted Premises | 1 bay per 20 square metres of nla, but with a minimum of not less than 5 bays, whichever is the greater. |
| Shop | 1 bay per 20 square metres of nla, but with a minimum of not less than 5 bays, whichever is the greater. |
| Showroom | 1 bay per 50 square metres of nla of buildings and outdoor areas open to the public and used for display, sale or hire; plus 1 bay per 100 square metres of nla of buildings and outdoor areas not open to the public and used for storage; but with a minimum of not less than 5 bays, whichever is the greater. |
| Community Uses: | |
| Child Care Premises | 1 bay per employee; plus 1 bay per 10 children the centre is approved to accommodate; but with a minimum of not less than 5 bays, whichever is the greater. |
| Civic Use | 1 bay for every 4 seats or 1 bay for every 4 persons the building is designed to accommodate, whichever is the greater, as determined by the Local Government. |

| Use Classes | Minimum Car Parking Requirements |
|---------------------------------------|---|
| Community Purpose | As determined by the Local Government with consideration of— Local Planning Policy; and the most applicable or equivalent use class; and the maximum capacity of all facilities when used simultaneously. |
| Corrective Institution | As determined by the Local Government with consideration of Local Planning Policy. |
| Educational Establishment | 1 bay per employee, plus parking bays for students, as determined by the Local Government with consideration of Local Planning Policy. |
| Family Day Care | 1 bay in addition to the residential requirement. |
| Funeral Parlour | 1 bay per employee, but with a minimum of not less than 6 bays, whichever is the greater. Where a chapel is included, 1 bay for every 4 seats or 1 bay for every 4 persons the building is designed to accommodate for the chapel area, whichever is the greater, as determined by the Local Government. |
| Place of Worship | 1 bay for every 4 seats or 1 bay for every 4 persons the building is designed to accommodate, whichever is the greater, as determined by the Local Government. |
| Reception Centre | 1 bay for every 4 seats or 1 bay for every 4 persons the building is designed to accommodate, whichever is the greater, as determined by the Local Government. |
| Dining and Entertainment Uses: | |
| Fast Food Outlet | 1 bay per 4 seats or 1 bay per 5 square metres of nla of buildings and outdoor areas used for public dining, whichever is the greater; plus 1 bay per 15 square metres of nla of buildings and outdoor areas used for storage, food preparation, services and administration; plus a car queuing area sufficient to accommodate 5 cars where drive through facilities are included, as determined by the Local Government. |
| Hotel | 1 bay per 2 square metres of nla used for bar area; plus 1 bay per 4 square metres of nla used for lounge or garden area; plus 1 bay per 4 seats or 1 bay per 5 square metres of nla used for dining, reception or assembly area, whichever is the greater; plus 1 bay per 15 square metres of nla used for storage, food preparation, services and administration; plus 1 bay per bedroom or accommodation unit; plus a car queuing area sufficient to accommodate 5 cars where drive through facilities are included, as determined by the Local Government. |
| Lunch Bar | 1 bay per 15 square metres of nla of buildings and outdoor areas used for lunch bar purposes, but with a minimum of not less than 5 bays, whichever is the greater. |
| Night Club | 1 bay per 2 square metres of nla used for bar area; plus 1 bay per 4 square metres of nla used for drinking, dining or assembly area; or 1 bay for every 4 persons the building is designed to accommodate, whichever is the greater; plus 1 bay per 15 square metres of nla used for storage, food preparation, services and administration, as determined by the Local Government. |
| Restaurant | 1 bay per 4 seats or 1 bay per 5 square metres of public drinking and/or dining area, whichever is the greater; plus 1 bay per 15 square metres of nla used for storage, food preparation, services and administration, as determined by the Local Government. |
| Tavern | 1 bay per 2 square metres of nla used for bar area; plus 1 bay per 4 square metres of nla used for lounge or garden area; plus |

| Use Classes | Minimum Car Parking Requirements |
|-----------------------------------|--|
| | <p>1 bay per 4 seats or 1 bay per 5 square metres of nla used for dining, reception or assembly area, whichever is the greater; plus</p> <p>1 bay per 15 square metres of nla used for storage, food preparation, services and administration; plus</p> <p>a car queuing area sufficient to accommodate 5 bays where drive through facilities are included, as determined by the Local Government.</p> |
| Health & Medical Uses: | |
| Consulting Rooms | 4 bays for each consulting room and/or health consultant or 1 bay per 20 square metres of nla, whichever is the greater; but with a minimum of not less than 5 bays, whichever is the greater. |
| Hospital | 1 bay per 4 beds, plus 1 bay per employee, as determined by the Local Government. |
| Medical Centre | 4 bays for each consulting room and/or health consultant or 1 bay per 20 square metres of nla, whichever is the greater; but with a minimum of not less than 5 bays, whichever is the greater. |
| Veterinary Centre | 4 bays for each consulting room and/or veterinary health consultant or 1 bay per 20 square metres of nla, whichever is the greater; but with a minimum of not less than 5 bays, whichever is the greater. |
| Home Based Business Uses: | |
| Home Business | 1 bay per employee in addition to the residential requirement, and in accordance with the limitations on parking applicable to Home Business. |
| Home Occupation | No additional requirement over and above residential requirement—in accordance with the dwelling type under the Residential Design Codes and limitations on parking applicable to Home Occupations. |
| Home Office | No additional requirement over and above residential requirement—in accordance with the dwelling type under the Residential Design Codes. |
| Home Store | 1 bay per 20 square metres of nla in addition to the residential requirement. |
| Industry—Cottage | <p>1 bay in addition to the residential requirement.</p> <p>Additional parking is required in respect of any area for display or sales, based on the specific use of such area, as determined by the Local Government.</p> <p>Where situated in a non-residential zone, parking requirements are to accord with the requirements for Industry—General.</p> |
| Industrial Uses: | |
| Industry—Extractive | As determined by the Local Government with consideration of Local Planning Policy. |
| Industry—General | <p>1 bay per 100 square metres of nla of buildings and outdoor areas used for industry purposes or 1 bay per employee, whichever is the greater;</p> <p>but with a minimum of not less than 5 bays, whichever is the greater; plus</p> <p>an additional 1 bay per 30 square metres of nla used for the purposes of administration or accounting, retailing and/or wholesaling.</p> |
| Industry—Hazardous | <p>1 bay per 100 square metres of nla of buildings and outdoor areas used for industry purposes or 1 bay per employee, whichever is the greater;</p> <p>but with a minimum of not less than 5 bays, whichever is the greater.</p> |
| Industry—Light | 1 bay per 75 square metres of nla of buildings and outdoor areas used for industry purposes or 1 bay per employee, whichever is the greater; |

| Use Classes | Minimum Car Parking Requirements |
|--|---|
| | <p>but with a minimum of not less than 5 bays per tenancy, whichever is the greater; plus</p> <p>an additional 1 bay per 30 square metres of nla used for the purposes of administration or accounting, retailing and/or wholesaling.</p> |
| Industry—Mining | As determined by the Local Government with consideration of Local Planning Policy. |
| Industry—Noxious | <p>1 bay per 100 square metres of nla of buildings and outdoor areas used for industry purposes or 1 bay per employee, whichever is the greater;</p> <p>but with a minimum of not less than 5 bays, whichever is the greater.</p> |
| Industry—Rural | As determined by the Local Government with consideration of Local Planning Policy. |
| Industry—Service | <p>1 bay per 75 square metres of nla of buildings and outdoor areas used for industry purposes or 1 bay per employee, whichever is the greater;</p> <p>but with a minimum of not less than 5 bays per tenancy, whichever is the greater; plus</p> <p>an additional 1 bay per 30 square metres of nla used for the purposes of administration or accounting, retailing and/or wholesaling.</p> |
| Infrastructure & Transportation Uses: | |
| Car Park | As determined by the Local Government with consideration of Local Planning Policy. |
| Marina | As determined by the Local Government with consideration of the applicable mix of use classes and any relevant Local Planning Policy. |
| Marine Filling Station | <p>1 bay per 100 square metres of nla of buildings and outdoor areas used for marine filling station purposes, or 1 bay per employee, whichever is the greater; plus</p> <p>1 visitor parking bay per petrol and/or service bay;</p> <p>but with a minimum of not less than 5 bays, whichever is the greater.</p> |
| Motor Vehicle Repair | 4 bays per vehicle service and/or work bay or 1 bay for every 50 square metres of nla of buildings and outdoor areas used for motor vehicle repair purposes, whichever is the greater. |
| Motor Vehicle Wash | <p>1 bay per employee; plus</p> <p>2 bays per wash bay; plus</p> <p>queuing space for 3 waiting vehicles for each wash bay.</p> |
| Service Station | <p>4 bays per workshop and/or service bay; plus</p> <p>1 bay per employee;</p> <p>but with a minimum of not less than 5 bays, whichever is the greater.</p> |
| Telecommunications Infrastructure | As determined by the Local Government with consideration of Local Planning Policy. |
| Transport Depot | <p>1 bay per 100 square metres of nla of buildings and outdoor areas used for transport depot purposes or 1 bay per employee, whichever is the greater;</p> <p>but with a minimum of not less than 5 bays, whichever is the greater.</p> |
| Leisure & Recreational Uses: | |
| Amusement Parlour | <p>1 bay for every 20 square metres of nla or 1 bay for every 4 persons the building is designed to accommodate, whichever is the greater;</p> <p>but with a minimum of not less than 5 bays, whichever is the greater.</p> |
| Betting Agency | <p>1 bay per 30 square metres of nla used for the purposes of administration or accounting;</p> <p>plus 1 bay per 20 square metres of nla open to the public.</p> |

| Use Classes | Minimum Car Parking Requirements |
|--|---|
| Cinema / Theatre | 1 bay for every 4 seats or 1 bay for every 4 persons the building is designed to accommodate, whichever is the greater, as determined by the Local Government. |
| Club Premises | 1 bay for every 4 seats or 1 bay for every 4 persons the building is designed to accommodate, whichever is the greater, as determined by the Local Government. |
| Recreation—Private | 1 bay for every 4 seats or 1 bay for every 4 persons the building is designed to accommodate, whichever is the greater, as determined by the Local Government. |
| Residential Uses: | |
| Aged or Dependent Person's Dwelling | In accordance with the Residential Design Codes. |
| Ancillary Accommodation | In accordance with the Residential Design Codes. |
| Grouped Dwelling | In accordance with the Residential Design Codes. |
| Multiple Dwelling | In accordance with the Residential Design Codes. |
| Serviced Apartments | In accordance with the Residential Design Codes, as for Multiple Dwellings. |
| Single House | In accordance with the Residential Design Codes. |
| Residential—Other Uses: | |
| Caretaker's Dwelling | In accordance with relevant dwelling type under the Residential Design Codes. |
| Park Home Park | 1 bay per park home, plus parking bays for employees and visitors, as determined by the Local Government with consideration of Local Planning Policy. |
| Residential Building | 1 bay per bedroom, plus 1 bay per 4 bedrooms for visitor parking, plus 1 bay per employee. |
| Storage & Warehousing Uses: | |
| Fuel Depot | 1 bay per 100 square metres of nla of buildings and outdoor areas used for fuel depot purposes or 1 bay per employee, whichever is the greater; plus 1 visitor parking bay per petrol and/or service bay; but with a minimum of not less than 5 bays, whichever is the greater. |
| Storage | 1 bay per 100 square metres of nla of buildings and outdoor areas used for storage purposes or 1 bay per employee, whichever is the greater; but with a minimum of not less than 5 bays, whichever is the greater. |
| Trade Display | 1 bay per 100 square metres of nla of buildings and outdoor areas used for display only; plus 1 bay per 50 square metres of nla of buildings and outdoor areas open to the public and used for display, sale or hire; but with a minimum of not less than 5 bays, whichever is the greater. |
| Warehouse | 1 bay per 100 square metres of nla of buildings and outdoor areas used for storage and/or display only; plus 1 bay per 50 square metres of nla of buildings and outdoor areas used for display and sale by wholesale— but with a minimum of not less than 5 bays, whichever is the greater. |
| Tourism Accommodation Uses: | |
| Bed and Breakfast | 1 bay for each guest bedroom or accommodation unit in addition to the residential requirement, as determined by the Local Government. |
| Caravan Park | 1 bay per caravan, plus parking bays for employees and visitors, as determined by the Local Government. |

| Use Classes | Minimum Car Parking Requirements |
|------------------------|---|
| Holiday Cottages | 1 bay per holiday cottage; plus 1 bay per 4 holiday cottages for visitor parking. |
| Motel | 1 bay per 2 square metres of nla used for bar area; plus 1 bay per 4 square metres of nla used for lounge or garden area; plus 1 bay per 4 seats or 1 bay per 5 square metres of nla used for dining, reception or assembly area, whichever is the greater; plus 1 bay per 15 square metres of nla used for storage, food preparation, services and administration; plus 1 bay per bedroom or accommodation unit. |
| All Other Uses: | As determined by the Local Government in accordance with clause 5.7.5.6. |

Notes: 1. "gla" means "gross leasable area" as defined by the Scheme in Schedule 1—Dictionary of Defined Words and Expressions, 1.1 General Definitions.

2. "nla" means "net lettable area" as defined by the Scheme in Schedule 1—Dictionary of Defined Words and Expressions, 1.1 General Definitions.

3. Reference should be made to clause 5.7.3.13 when determining the minimum car parking requirements for land uses located within the "City Centre Zone", which will not require proponents to provide parking for proposals of development or change of use with a gross leasable area of less than 500 m².

5.7.6 Reciprocal Parking (Private) and Shared Parking (Local Government)

5.7.6.1 Subject to the Scheme, and the provisions of any relevant Local Planning Policy, the Local Government may exercise its discretion in granting planning approval to permit a proportion of the total number of car parking bays required under the Scheme to be provided jointly with any one or more other premises within a location, where it is demonstrated to the satisfaction of the Local Government that reciprocal and/or shared car parking would result in the same number of car parking bays required under the Scheme. Under this clause, "reciprocal" parking relates to land that is privately owned and "shared" parking relates to land which is owned by the local government or is vested with the local government for public parking.

5.7.6.2 Subject to the Scheme, and the provisions of any relevant Local Planning Policy, reciprocal and/or shared car parking shall only be permitted in locations where the following has been demonstrated to the satisfaction of the Local Government—

- (a) reciprocal or shared off-street parking facilities are available in the location that sufficiently accommodates the deficit in car parking required under the Scheme for the development/use; and
- (b) the peak hours of operation of developments/uses so sharing are different and do not substantially overlap, whether or not the premises providing shared car parking separately have the prescribed number of parking bays; and
- (c) that a legally binding agreement has been made to enable those reciprocal or shared off-street parking facilities to be used for that purpose. Where a reciprocal or shared parking arrangement is proposed as part of an application for planning approval, the written consent of the property owner of the reciprocal or shared parking facility must be in the form of a legally binding agreement between both parties that is prepared to the satisfaction of the Local Government, and at the applicant's own cost.

5.7.6.3 Where an application proposes reciprocal and/or shared car parking in accordance with clause 5.7.6, the Local Government shall require a supporting development impact statement (with respect to traffic management and parking demand), to be prepared at the applicant's cost and to the satisfaction of the Local Government as part of any application for planning approval.

5.7.6.4 The Local Government may require that reciprocal access and circulation arrangements are provided for any use/development of premises affected by clause 5.7.6, where such arrangements are deemed necessary to improve traffic management, road safety or amenity.

5.7.7 Cash or Land Contribution in Lieu of Providing Parking Bays

5.7.7.1 Subject to the Scheme, and the provisions of any relevant Local Planning Policy, the Local Government may require an applicant for planning approval to provide, or may otherwise agree to accept, a cash and/or land contribution in lieu of the provision of a proportion of the total number of car parking bays required under the Scheme.

5.7.7.2 Subject to the Scheme, and the provisions of any relevant Local Planning Policy, a cash and/or land contribution in lieu of providing car parking bays shall only be considered in locations where the following has been demonstrated to the satisfaction of the Local Government—

- (a) there is sufficient car parking in the locality; and

- (b) a public car park exists or is planned in the locality that adequately services the parking requirements of both the general public and the proposed use/development; and
- (c) that a legally binding agreement has been made to enable the public car park to be used for the purpose of providing car parking for the proposed use/development on a permanent basis in accordance with clause 5.7.6.

5.7.7.3 Where an application proposes a cash and/or land contribution in lieu of providing car parking bays in accordance with clause 5.7.7, the Local Government shall require a supporting development impact statement (with respect to traffic management and parking demand), to be prepared at the applicant's cost and to the satisfaction of the Local Government as part of any application for planning approval.

4. Inserting a new clause heading and provision under section 5.8 accordingly—

5.8 Vehicle Crossovers

5.8.1 Vehicle/verge crossovers are to be provided in accordance with the provisions of the Scheme and any relevant Local Planning Policy, and shall be designed, constructed and maintained to the satisfaction of the Local Government.

5.8.2 The Local Government may refuse to permit more than one vehicle/verge crossover (that is, a vehicular entrance and/or exit constructed across a road verge connecting to a public road) to or from any lot, or may require separate crossovers for entrances and exits, and may require that entrances and exits be placed in positions nominated by the Local Government where it considers such provision necessary or desirable to avoid or to reduce traffic hazards or otherwise to assist in planning for vehicular traffic.

5.8.3 All land uses and developments requiring vehicle access to the lot/premises shall have a constructed vehicle/verge crossover to a minimum standard as prescribed by the Local Government's standard conditions, drawings and specifications for concrete, brick paved and asphalt driveways respectively. Alternative materials may be used for the construction of vehicle crossovers subject to the approval of the Local Government.

5.8.4 Vehicle/verge crossovers are to be approved and constructed prior to occupancy of premises.

- 5. Renumbering clause "5.7.2 Plot Ratios, Site Coverage, Building Setbacks and Landscaping" with "5.9" and adjusting the sub-clauses in numerical order.
- 6. Renumbering sections "5.8 Detailed Area Plans", "5.9 Specific Objectives and Development Requirements for Particular Zones" and "5.10 Telecommunications Infrastructure" and associated clause and sub-clause numbers in numerical order to follow section "5.9 Plot Ratios, Site Coverage, Building Setbacks and Landscaping" and adjust the Table of Contents of the Scheme text and other references to the above section, clause and sub-clause numbers in the Scheme to the new numbers accordingly.

D. L. SMITH, Mayor.
A. BRIEN, Chief Executive Officer.

PL407*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
Town of Port Hedland
Town Planning Scheme No. 5—Amendment No. 34

Ref: TPS/0593

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 17 August 2011 for the purpose of—

- 1. Rezoning Lots 6056 and 6057 Forrest Circle, Lots 6058 and 6059 Eucla Close, portion of Forrest Circle and portion of Daylesford Close, South Hedland from 'District Road', 'Local Road' and 'Residential (R20)' to 'Town Centre', 'Other Public Purposes—Water and Drainage', 'Parks and Recreation', 'Local Road', 'Residential (R30)' and 'Residential (R40)'.
- 2. Amending the Scheme Map accordingly.

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

PL408*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT

City of Swan

Local Planning Scheme No. 17—Amendment No. 34

Ref: TPS/0124

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 Swan local planning scheme amendment on 29 August 2011 for the purpose of—

1. Rezoning Lot 200 (No. 10) Cale Street from 'City Centre—Showroom' and 'City Centre—Mixed Use' to 'City Centre—Mixed Use' with a Residential density coding of R160.
2. Amending the scheme maps by introducing an Additional Use No. 81 for Lot 1 (No. 31) Victoria Street and Lots 200 & 201 (No's. 10 & 8) Cale Street, Midland.
3. Including in "Schedule 2—Additional Uses" of the Local Planning Scheme No 17 text a new Additional Use provision No. 81 as follows—

| No. | Description of Land | Additional Use | Conditions |
|-----|---|--|--|
| 81 | Lot 1 on D7475 (31) Victoria Street, Lot 200 on D98951 (10) Cale Street, Lot 201 on D98951 (8) Cale Street, Midland | 'A'—Vehicle Sales and Associated Service (Motorcycles) | 1. Upon major re-development of the subject lots, the lots will be required to be amalgamated and the strata titles on Lot 1 will be required to be cancelled as a condition of planning approval. |

C. ZANNINO, Mayor.
M. J. FOLEY, Chief Executive Officer.

RACING, GAMING AND LIQUOR

RA401*

LIQUOR CONTROL ACT 1988

LIQUOR APPLICATIONS

The following are applications received under the *Liquor Control Act 1988 (the Act)* that are required to be advertised.

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

| App. No. | Applicant | Nature of Application | Last Date for Objections |
|--|---|---|--------------------------------|
| APPLICATION TO ADD, VARY OR CANCEL A CONDITION OF LICENCE | | | |
| 375158 | Totally & Partially Disabled Veterans of WA Inc | Application for the variation of the conditions of a Club Restricted licence in respect of premises situated in Baldivis and known as Totally and Partially Disabled Veterans of WA Inc | 18/09/2011 |

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

Dated: 2 September 2011.

B. A. SARGEANT, Director of Liquor Licensing.

DECEASED ESTATES

ZX401

TRUSTEES ACT 1962**DECEASED ESTATES**

Notice to Creditors and Claimants

Eileen Margory Connell, late of St Ives Retirement Village, 11/177 Dampier Avenue, Kallaroo, Western Australia, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the estate of the deceased, who died on the 11th July 2011, are required by the Executrix Paula Annette Martino of P. A. Martino PO Box 564 West Perth WA 6872, to send particulars of their claim to her by the 5th October 2011, after which date the Executrix may convey or distribute the assets, having regard only to the claims of which she then has notice.

ZX402

TRUSTEES ACT 1962**DECEASED ESTATES**

Notice to Creditors and Claimants

Hilary Mabel Jasper, late of Clarence Estate, 55 Hardie Road, Albany in the State of Western Australia, Widow, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the estate of Hilary Mabel Jasper deceased who died on the 27th day of May 2011 at Albany, in the said State are required by the personal representative Graham Howard Jasper of 88 Wedge Street, Kyneton, Victoria to send particulars of their claims to David Moss & Co of PO Box 5744, Albany W.A. 6332 by the date one month following the publication of this notice after which date the personal representative may convey or distribute the assets having regard only to the claim for which he has then had notice.

ZX403

TRUSTEES ACT 1962**DECEASED ESTATES**

Notice to Creditors and Claimants

Leonard Charles Hinkley, late of Gwen Hardie Lodge, Mermaid Avenue, Emu Point in the State of Western Australia, Retired Farmer, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the estate of Leonard Charles Hinkley deceased who died on the 12th day of May 2011 at Emu Point, in the said State are required by the personal representative Charles John Hinkley of 6 Caballo Court, Safety Bay Western Australia to send particulars of their claims to David Moss & Co of PO Box 5744, Albany W.A. 6332 by the date one month following the publication of this notice after which date the personal representative may convey or distribute the assets having regard only to the claim for which he has then had notice.

ZX404*

TRUSTEES ACT 1962**DECEASED ESTATES**

Notice to Creditors and Claimants

Notice of Intended Distribution of Estate

Harry West, late of David Buttfeld Centre, 649 North Beach Road, Gwelup, WA 6018.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962* and amendments thereto relate) in respect of the estate of the deceased who died on the 17 March 2010 are required by the executor of the Late Harry West's estate to send particulars of their claims to Guy Edwards, 7 Cambridge Mews, Kingsley, WA 6026, within one month from the date of publication of this notice, at the expiration of which time the executor may convey or distribute the assets having regard only to the claims of which he then has notice.

Dated this 2nd day of September 2011.

STATE LAW PUBLISHER SUBSCRIPTION RATES FOR 2012

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