



WESTERN
AUSTRALIAN
GOVERNMENT
Gazette

ISSN 1448-949X PRINT POST APPROVED PP665002/00041



PERTH, FRIDAY, 28 SEPTEMBER 2012 No. 171

PUBLISHED BY AUTHORITY JOHN A. STRIJK, GOVERNMENT PRINTER AT 12.00 NOON
© STATE OF WESTERN AUSTRALIA

CONTENTS

PART 1

	Page
Hospitals and Health Services Act 1927—	
Fremantle Hospital Amendment By-laws 2012	4650
Osborne Park Hospital Amendment By-laws 2012	4648
Petroleum and Geothermal Energy Safety Levies Act 2011—Petroleum and Geothermal Energy Safety Levies Amendment Regulations 2012.....	4655
Proclamations—Petroleum and Geothermal Energy Safety Levies Amendment Act 2012— No. 19 of 2012	4647



PART 2

Deceased Estates	4687
Electoral	4659
Energy	4659
Fisheries.....	4660
Heritage	4660
Justice	4661
Local Government.....	4662
Main Roads	4669
Minerals and Petroleum.....	4667
Planning.....	4670
Premier and Cabinet	4687

IMPORTANT COPYRIGHT NOTICE

© State of Western Australia

This work is copyright. Apart from any use as permitted under the *Copyright Act 1968*, no part may be reproduced by any process without written permission from the Attorney General for Western Australia. Inquiries in the first instance should be directed to the Government Printer, State Law Publisher, 10 William St, Perth 6000.

PUBLISHING DETAILS

The Western Australian *Government Gazette* is published by State Law Publisher for the State of Western Australia on Tuesday and Friday of each week unless disrupted by Public Holidays or unforeseen circumstances.

Special *Government Gazettes* containing notices of an urgent or particular nature are published periodically.

The following guidelines should be followed to ensure publication in the *Government Gazette*.

- Material submitted to the Executive Council prior to gazettal will require a copy of the signed Executive Council Minute Paper and in some cases the Parliamentary Counsel's Certificate.
- Copy must be lodged with the Sales and Editorial Section, State Law Publisher no later than 12 noon on Wednesday (Friday edition) or 12 noon on Friday (Tuesday edition).

Delivery address:

State Law Publisher
Ground Floor,
10 William St. Perth, 6000
Telephone: 6552 6000 Fax: 9321 7536

- Inquiries regarding publication of notices can be directed to the Editor on (08) 6552 6010.
- Lengthy or complicated notices should be forwarded early to allow for preparation. Failure to observe this request could result in the notice being held over.

If it is necessary through isolation or urgency to fax copy, confirmation is not required by post. *If original copy is forwarded later and published, the cost will be borne by the advertiser.*

ADVERTISING RATES AND PAYMENTS

EFFECTIVE FROM 1 JULY 2012 (Prices include GST).

Deceased Estate notices, (per estate)—\$28.75

Articles in Public Notices Section—\$66.80 minimum charge (except items of an exceptionally large nature. In these instances arrangements will be made for pricing the notice at time of lodging).

All other Notices

Per Column Centimetre—\$13.35

Bulk Notices—\$244.70 per page

Clients who have an account will only be invoiced for charges over \$50.

For charges under \$50, clients will need to supply credit card details at time of lodging notice (i.e. notice under 4cm would not be invoiced).

Clients without an account will need to supply credit card details or pay at time of lodging the notice.

— PART 1 —

PROCLAMATIONS

AA101*

**PETROLEUM AND GEOTHERMAL ENERGY SAFETY LEVIES
AMENDMENT ACT 2012**

No. 19 of 2012

PROCLAMATION

Western Australia

*By His Excellency
Malcolm James McCusker,
Companion of the Order of Australia,
Commander of the Royal Victorian Order,
Queen's Counsel,
Governor of the State of Western Australia*

[L.S.]

M. J. McCUSKER
Governor

I, the Governor, acting under the *Petroleum and Geothermal Energy Safety Levies Amendment Act 2012* section 2(b) and with the advice and consent of the Executive Council, fix 1 October 2012 as the day on which the provisions of that Act, other than sections 1 and 2, come into operation.

Given under my hand and the Public Seal of the State on 18 September 2012.

By Command of the Governor,

NORMAN MOORE, Minister for Mines and Petroleum.

Notes: Under the *Petroleum and Geothermal Energy Safety Levies Amendment Act (No. 2) 2012* section 2(b), the provisions of that Act, other than sections 1 and 2, come into operation on the day on which the *Petroleum and Geothermal Energy Safety Levies Amendment Act 2012* section 9 comes into operation.

Under the *Petroleum and Geothermal Energy Safety Levies Amendment Regulations 2012* regulation 2(b), the provisions of those regulations, other than regulations 1 and 2, come into operation on the day on which the provisions of the *Petroleum and Geothermal Energy Safety Levies Amendment Act 2012*, other than sections 1 and 2, come into operation.

HEALTH

HE301*

Hospitals and Health Services Act 1927

**Osborne Park Hospital Amendment
By-laws 2012**

Made under section 22 of the Act by the Minister in his capacity as the board of the Osborne Park Hospital.

1. Citation

These by-laws are the *Osborne Park Hospital Amendment By-laws 2012*.

2. Commencement

These by-laws come into operation as follows —

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

3. By-laws amended

These by-laws amend the *Osborne Park Hospital By-laws 2007*.

4. By-law 16 amended

Delete by-law 16(3) and insert:

- (3) An application under sub-by-law (2) must be in a form approved by the chief executive officer.
- (4A) No fee is payable for a parking permit.

5. By-law 18 amended

- (1) In by-law 18(1) delete “21” and insert:

- (2) In by-law 18(3)(b) delete “authorised person,” and insert:

authorised person, other than the authorised person who issued the infringement notice,

6. By-law 23 amended

Delete by-law 23(4) and insert:

- (4) The board may retain possession of a vehicle removed and stored under this by-law until —
- (a) the owner of the vehicle has paid the fee to recover the vehicle calculated at the rate of \$50 for the first 24 hours or part thereof and \$5 for each 7 day period or part period after that; or
 - (b) if the vehicle was removed under sub-by-law (2) — the owner or the person in charge of the vehicle has been given an infringement notice for the contravention.
- (5) Payment under sub-by-law (4)(a) may be made by one of the following methods —
- (a) in person to an authorised person at the site;
 - (b) in person to the cashier at the Osborne Park Hospital;
 - (c) by cheque or money order payable to “Osborne Park Hospital” and posted to —
Osborne Park Hospital
Osborne Place
Stirling WA 6021

7. Schedule 1 amended

In Schedule 1:

- (a) in the item relating to by-law 15(2)(b), (3) delete “45” and insert:

40
- (b) in the second item relating to by-law 15(2)(e), (3) delete “20” and insert:

40

- (c) in the item relating to by-law 16(8) delete “30” and insert:

40

Dr K. D. HAMES

The Minister in his capacity as the board
of the Osborne Park Hospital.

HE302*

Hospitals and Health Services Act 1927

Fremantle Hospital Amendment By-laws 2012

Made under section 22 of the Act by the Minister in his capacity as the board of the Fremantle Hospital.

1. Citation

These by-laws are the *Fremantle Hospital Amendment By-laws 2012*.

2. Commencement

These by-laws come into operation as follows —

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

3. By-laws amended

These by-laws amend the *Fremantle Hospital By-laws 1992*.

4. By-law 17 amended

- (1) Delete by-law 17(2) and insert:
 - (2) An application under sub-by-law (1) must be in a form approved by the chief executive officer.

- (3A) The fee payable for a parking permit is \$3.40 for each day on which the permit holder is permitted to park a vehicle at Fremantle Hospital (up to a maximum of \$17.00 per week).
 - (3B) No fee is payable for a permit to park a vehicle at Kaleeya Hospital.
 - (3C) The chief executive officer or authorised person may issue a parking permit even though the fee for the permit is not paid in full if satisfied that arrangements are in place for the fee to be paid in instalments.
- (2) In by-law 17(3) delete “under sub-by-law (2)(b)” and insert:
- for a parking permit
- (3) In by-law 17(7) after “chief executive officer” insert:
- or an authorised person

5. By-law 18 amended

- (1) In by-law 18(1) delete “in the manner set out in” and insert:
- in accordance with
- (2) Delete by-law 18(2) and insert:
- (2) The refund is the amount of the fee paid for a day that occurs —
- (a) after the person ceases to use the permit or ceases employment; or
 - (b) during the period of leave.

6. By-law 20 amended

- (1) In by-law 20(1) delete “21” and insert:

- (2) In by-law 20(3)(b) delete “the cashier of the Fremantle Hospital, within a period of 28 days after the giving of the notice.” and insert:

an authorised person, other than the authorised person who issued the infringement notice, within a period of 28 days after the giving of the notice.

7. By-law 25 amended

- (1) In by-law 25(1) after “chief executive officer” insert:

or an authorised person

- (2) Delete by-law 25(4) and insert:

- (4) The Board may retain possession of a vehicle removed and stored under this by-law until —
- (a) the owner of the vehicle has paid the fee to recover the vehicle calculated at the rate of \$50 for the first 24 hours or part thereof and \$5 for each 7 day period or part period after that; or
 - (b) if the vehicle was removed under sub-by-law (2) — the owner or the person in charge of the vehicle has been given an infringement notice for the contravention.
- (5) Payment under sub-by-law (4)(a) may be made by one of the following methods —
- (a) in person to an authorised person at the site;
 - (b) in person at the Metropolitan Access and Parking Department at —
100 Flinders Street
Mt. Hawthorn WA
 - (c) at any Australia Post Office or agency;
 - (d) by telephone on 1800 753 191;
 - (e) by cheque or money order payable to “Metropolitan Access and Parking” and posted to —
Metropolitan Access and Parking
PO Box 1135
Osborne Park WA 6916

8. Schedule 1 deleted

Delete Schedule 1.

9. Schedule 2 amended

In Schedule 2:

- (a) in the item relating to by-law 16(3) and 16(1)(b) delete “45” and insert:

40

- (b) in the second item relating to by-law 16(3) and 16(1)(e) delete “20” and insert:

40

- (c) in the item relating to by-law 16(4)(a) delete “20” and insert:

40

- (d) in the item relating to by-law 16(4)(b) delete “20” and insert:

40

- (e) in the item relating to by-law 17(9) delete “30” and insert:

40

10. Schedule 3 amended

Delete Schedule 3 Form 1 and insert:

FORM 1

[By-law 20(3)]

Infringement Notice		
<i>Fremantle Hospital By-laws 1992</i>		
Notice No.	Issue date	Issue time
Location		
Vehicle		
Plate no. & type	Make	Model/Style

Alleged Offence

Date	Time
By-law	Modified penalty
Issuing Officer	
Name	Signature/Officer No.

You have 28 days from when this Notice is given to you to pay the modified penalty or elect to go to court. If you don't, enforcement proceedings will be taken against you.

Paying the modified penalty

By post: Send a cheque or money order payable to "Metropolitan Access and Parking" to —
Metropolitan Access and Parking
PO Box 1135
Osborne Park WA 6916

In person: Pay at the Metropolitan Access and Parking Department at —
100 Flinders Street
Mt. Hawthorn WA
OR
Pay at any Australia Post Office or agency.

By telephone: Call 1800 753 191

Electing to go to court

If you wish to elect to go to court, sign here:
..... Date:

then send this notice to —

The Chief Executive Officer
Metropolitan Access and Parking Department
100 Flinders Street
Mt. Hawthorn WA 6016

Make sure you keep a copy. If you go to court and are convicted you may be fined \$50 and ordered to pay costs.

If enforcement proceedings are taken against you, your driver's licence and/or vehicle licence may be suspended until you pay the modified penalty and expenses or you elect to go to court.

Dr K. D. HAMES

The Minister in his capacity as the board of the Fremantle Hospital.

MINERALS AND PETROLEUM

MP301*

Petroleum and Geothermal Energy Safety Levies Act 2011

**Petroleum and Geothermal Energy Safety
Levies Amendment Regulations 2012**

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Petroleum and Geothermal Energy Safety Levies Amendment Regulations 2012*.

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 on which the provisions of the *Petroleum and Geothermal Energy Safety Levies Amendment Act 2012*, other than sections 1 and 2, come into operation.

3. Regulations amended

These regulations amend the *Petroleum and Geothermal Energy Safety Levies Regulations 2011*.

4. Regulation 3 amended

- (1) In regulation 3 delete the definitions of:
complexity rating
operation
safety system
- (2) In regulation 3 insert in alphabetical order:

complexity rating means —

- (a) for a class of safety system other than a facility safety case — the number specified opposite the class in the second column of the Table in Schedule 1;

- (b) for a class of facility safety case — the number specified opposite the class in the third column of the Table in Schedule 1;

facility safety case means a safety case that relates to a facility;

operation means —

- (a) a petroleum operation; or
- (b) a geothermal energy operation; or
- (c) a pipeline operation; or
- (d) an offshore petroleum operation as defined in the *Petroleum (Submerged Lands) Act 1982* section 4;

safety system means —

- (a) a safety management system; or
- (b) a safety case; or
- (c) an accepted DSMS; or
- (d) a pipeline management plan;

5. Regulation 5 amended

- (1) In regulation 5(2):

- (a) delete “\$12 453;” and insert:

\$11 600;

- (b) delete “safety system was in force” and insert:

operation to which the safety system relates was carried out

- (2) In regulation 5(3)(a):

- (a) delete “\$12 453;” and insert:

\$11 600;

- (b) delete “days in” and insert:

days the operation to which the safety system relates was carried out during

6. Regulation 7 amended

- (1) In regulation 7(1) in the definition of *relevant period* delete “a part” and insert:

the relevant part

- (2) Delete regulation 7(2) and insert:

(2) This regulation applies if a safety levy is payable in respect of a safety system.

- (3) In regulation 7(3) delete “levy period,” and insert:

levy period to which the levy amount relates,

- (4) In regulation 7(5):

- (a) delete paragraph (c) and insert:

(c) the level of risk to —

(i) the occupational safety and health of persons engaged in the operation; and

(ii) in the case of a petroleum operation, geothermal energy operation or pipeline operation — to the safety and health of other protected persons,

arising from the operation;

- (b) in paragraph (d) delete “being”;

- (c) in paragraph (d) before “facilities” insert:

any

- (d) in paragraph (d)(i) delete “1967 or the *Petroleum Pipelines Act 1969*,” and insert:

1967, the Petroleum Pipelines Act 1969 or the Petroleum (Submerged Lands) Act 1982);

7. Regulation 8 amended

In regulation 8(2)(c) delete “that the safety system was in force” and insert:

the operation to which the safety system relates was carried out

8. Regulation 10 amended

In regulation 10(2)(f) delete “that the safety system was in force” and insert:

the operation to which the safety system relates was carried out

9. Part 7 inserted

After regulation 19 insert:

Part 7 — Transitional provisions**20. Transitional provision for *Petroleum and Geothermal Energy Safety Levies Amendment Regulations 2012***

Levy amounts for the levy period ending on 30 September 2012 are to be worked out and assessed in accordance with these regulations as in force immediately before the commencement of the *Petroleum and Geothermal Energy Safety Levies Amendment Regulations 2012* (other than regulations 1 and 2).

10. Schedule 1 replaced

Delete Schedule 1 and insert:

Schedule 1 — Complexity ratings

[r. 3]

Class	Complexity ratings for safety system other than facility safety case	Complexity ratings for facility safety case
Class A	21	30
Class B	15	22
Class C	10	15
Class D	6	10
Class E	3	5
Class F	1	2

By Command of the Governor,

R. KENNEDY, Clerk of the Executive Council.

— PART 2 —

ELECTORAL

EL401*

MARKETING OF POTATOES ACT 1946 ELECTION OF ELECTIVE MEMBER

Potato Marketing Corporation of
Western Australia.

In accordance with regulation 20 of the *Marketing of Potatoes Regulations 1987*.

I, Wayne Nicholson, being the Returning Officer duly appointed under and for the purposes of the regulations made under the *Marketing of Potatoes Act 1946*, do hereby certify —

- (1) That in connection with the nomination of candidates for election as members of the Potato Marketing Corporation of Western Australia received up to 12.00 noon on Wednesday 19 September 2012, being the last day for the nomination of candidates for the election to be held on Monday 15 October 2012, under section 8(1) of the Act the following candidate was nominated, namely —

Gregory John Starkie, RMB 241 Manjimup WA 6258—Potato Grower

- (2) That the nomination form of the candidate was in order as required by the regulations; that the candidate was eligible for nomination and election, and that the persons who signed the nomination form as proposer and seconder were entitled so to sign the same.
- (3) That the number of candidates nominated did not exceed the number of candidates to be elected as Member of the Potato Marketing Corporation of Western Australia; and
- (4) That **Gregory John STARKIE** is the person now elected as elective member as required by the Act for appointment by the Governor as a member of the Corporation.

19 September 2012.

WAYNE NICHOLSON, Returning Officer.

ENERGY

EN401*

ENERGY COORDINATION ACT 1994 AMENDED LICENCE

Notice is given that the following Gas Trading Licence has been amended—

Licensee:	Alinta Sales Pty Ltd (t/a Alinta Energy) ABN 92 089 531 984
Issue Date:	1 July 2010
Address of Licensee:	12-14 The Esplanade PERTH WA 6000
Classification:	Gas Trading (GTL9)
Term of Licence:	Up to and including 30 June 2020
Area Covered:	Coastal, Great Southern and Goldfields-Esperance gas supply areas as shown in Plan No. ERA-GAS-007 in the State of Western Australia
Amendment:	To align billing frequency with the metering frequency in the approved access arrangement for the distributor.
Inspection of Licence:	Economic Regulation Authority 4th Floor Albert Facey House 469 Wellington Street Perth WA 6000

LYNDON G. ROWE, Chairman,
Economic Regulation Authority.

FISHERIES

FI401*

PEARLING ACT 1990

PEARLING (WILDSTOCK LICENCE CONDITION) NOTICE 2012

FD 60/11 and 653/10 [1112]

Made by the CEO under section 26.

1. CitationThis notice is the *Pearling (Wildstock Licence Condition) Notice 2012*.**2. Notice**

I, Heather Brayford, CEO of the Department of Fisheries, Western Australia, provide notice of amendment to condition 2 imposed on the pearling (wildstock) licences specified in the Schedule to this Notice.

3. Amended condition 2 to be imposed on licences

The amended condition 2 to be imposed on the licences specified in the Schedule to this Notice is—

- (1) The wildstock fishing quota value for Zone 2 of the *Pinctada maxima* pearl oyster fishery is 1563 pearl oysters per quota unit; and
- (2) The wildstock fishing quota value for Zone 3 of the *Pinctada maxima* pearl oyster fishery is 1563 pearl oysters per quota unit.

4. Schedule

Pearling wildstock licence (PWL) number
PWL1
PWL7
PWL 9
PWL14
PWL17
PWL20
PWL22
PWL25
PWL32
PWL35
PWL44

5. Review

An aggrieved person may apply under section 33(2) of the *Pearling Act* to the State Administrative Tribunal (SAT) for review. Application forms can be obtained from the SAT (Level 4, 12 St. George's Terrace, Perth, WA), or www.sat.justice.wa.gov.au.

The application, with supporting documents, should be lodged with the SAT within 28 days of publication of this Notice. Where a SAT application is accepted the applicant is to provide a copy of the application to the CEO, Department of Fisheries, Level 3, 168 St. George's Terrace, Perth, WA.

Dated this 16th day of September 2012.

HEATHER BRAYFORD, Chief Executive Officer.

HERITAGE

HR401*

HERITAGE OF WESTERN AUSTRALIA ACT 1990

ENTRY OF PLACES IN THE REGISTER OF HERITAGE PLACES

PERMANENT REGISTRATIONS

Notice is hereby given in accordance with section 51(2) of the *Heritage of Western Australia Act 1990* that, pursuant to a direction from the Minister for Heritage, the places described below have been entered in the Register of Heritage Places on a permanent basis with effect from today.

Corrigin Town Hall and Road Board Office (fmr) at 21 Goyder Street, Corrigin; Res 15629 being Lots 70 and 71 on DP 228740 and the whole of the land contained in CLT V 3006 F 412 and 413 respectively.

Masonic Lodge (fmr), Mullewa at 43 Jose Street, Mullewa; Lot 77 on DP 222859 being the whole of the land contained in C/T V 899 F 15.

Martinup at 1841 Broomehill-Gnowangerup Road, Broomehill East; Ptn of Lot 7743 on DP 230412, Ptn of Lot 7745 on DP 250589 and Ptn of Lot 7753 on DP 139076, all being part of the land contained in C/T V 1671 F 992 as to those ptns labelled "M" on DP 72873.

House and Former Milk Depot at 47 Claremont Crescent, Swanbourne; Lot 4 on D 1453 being the whole of the land contained in C/T V 1755 F 557.

PROPOSED PERMANENT REGISTRATION (CROWN AND PRIVATE)

Notice is hereby given in accordance with section 47(5) of the *Heritage of Western Australia Act 1990*, the Heritage Council hereby gives notice that it has advised the Minister for Heritage regarding registration of crown property that it has resolved that—

1. the place listed below is of cultural heritage significance, and is of value for the present community and future generations;
2. the protection afforded by the *Heritage of Western Australia Act 1990* is appropriate; and
3. the place should be entered in the Register of Heritage Places on a permanent basis.

Notice is hereby given that the place below will be entered in the Register of Heritage Places on an interim basis with effect from today in accordance with section 50(1)(b) of the *Heritage of Western Australia Act 1990*. The place listed below is wholly or partly vested in the Crown, or in a person on behalf of the Crown, in right of the State.

Notice is hereby given in accordance with Section 49(1) of the *Heritage of Western Australia Act 1990* that, pursuant to a direction from the Minister for Heritage, it is proposed that the place described below be entered in the Register of Heritage Places on a permanent basis. The Heritage Council invites submissions on the proposal, which must be in writing and should be forwarded to the address below not later than 9 November 2012.

Perth Chest Clinic at 15-17 Murray Street, Perth; Lot 500 on DP 64479 being the whole of the land contained in C/T V 2735 F 587.

Date 28 September 2012.

GRAEME GAMMIE, Executive Director,
State Heritage Office,
Bairds Building 491 Wellington Street,
Perth WA 6000.

JUSTICE

JU401*

JUSTICES OF THE PEACE ACT 2004

APPOINTMENTS

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

Hadi Assanteh of 327 Benara Road, Morley
Blanche De Atta of 184 Railway Parade, West Leederville
Emma Devenish of 23 Manoff Road, Balcatta
Antoinette Carmella Glasson of 6 Turtle Point Cove, Jandakot
Craig Andrew Hasler of 6/138 Rutland Avenue, Carlisle
Kevin Richard Trent of 3 Broad Street, Kensington
Gary John Howard of 38 Bonita Road, Bullsbrook
Li Jun Gu of 17 Parkway, Swan View

RAY WARNES, Executive Director,
Court and Tribunal Services.

JU402*

JUSTICES OF THE PEACE ACT 2004

RESIGNATIONS

It is hereby notified for public information that the Minister has accepted the resignation of—

Mr Phillip Raymond Thompson of Florey
from the Office of Justice of the Peace for the State of Western Australia.

RAY WARNES, Executive Director,
Court and Tribunal Services.

LOCAL GOVERNMENT

LG401***BUSH FIRES ACT 1954***Shire of Koorda*

APPOINTMENTS

Notice is hereby given pursuant to section 38 of the *Bush Fires Act 1954*, that the following is a list of Fire Control Officers appointed for duty within the Shire of Koorda for 2012/2013. All other appointments are hereby cancelled.

Chief Fire Control Officer	R. D. G. Storer
----------------------------	-----------------

Deputy Chief Fire Control Officer	G. Westlund
-----------------------------------	-------------

Fire Control Officers	G. Surtees
-----------------------	------------

	A. Leeke
--	----------

Fire Weather Officer	A. J. Leeke
----------------------	-------------

Deputy Fire Weather Officer	R. D. G. Storer
-----------------------------	-----------------

Bush Advisory Committee—

R. D. G. Storer	
-----------------	--

G. Westlund	
-------------	--

G. Surtees	
------------	--

J. Smith	
----------	--

G. Greaves	
------------	--

Cr G. V. Pauley	
-----------------	--

Chief Bush Fire Control Officer	
---------------------------------	--

Deputy Chief Bush Fire Control Officer/Captain Kulja Brigade	
--	--

Captain Koorda Brigade/Fire Control Officer	
---	--

1st Lieutenant Koorda Brigade	
-------------------------------	--

1st Lieutenant Kulja Brigade	
------------------------------	--

Council Representative	
------------------------	--

DAVID BURTON, Chief Executive Officer.

LG402***DOG ACT 1976***Shire of Bridgetown-Greenbushes*

APPOINTMENTS

It is hereby notified for public information that the following persons have been appointed as Registration Officers under the provisions of the *Dog Act 1976*—

Darren Wilson	Stephanie Karafilis
---------------	---------------------

Kiara Muellner	Emily Rae
----------------	-----------

Eileen Kneale	Michelle Donaldson
---------------	--------------------

All previous appointments are hereby cancelled.

Dated 24 September 2012.

T. P. CLYNCH, Chief Executive Officer.

LG403**DOG ACT 1976***Shire of Katanning*

APPOINTMENTS

It is hereby notified for public information that the following persons have been authorised by Council to act under the provisions of the *Dog Act 1976*.

Martyn Hagley	
---------------	--

Malcolm Wilson	
----------------	--

ANDREW HOLDEN, Deputy Chief Executive Officer.

LG404**SHIRE OF DENMARK*

APPOINTMENTS

It is hereby notified for public information that the following persons have been appointed as authorised persons for the Shire of Denmark—

Dog Act 1976Authorised Persons

Dale Stewart
Garry Bird
Gregg Harwood
Rowan Dimmock
Charmaine Shelley
Lee Shelley
Nathan Hall
Bob Barber

Registration Officers

Steven Broad
Carli Martinovich
Cheralynne Clarke
Peta Leiper
Kevina Richardson
Jennifer Langridge
Robert Ohle
Iain Dines

Ruth Hall
Marcia Chamberlain
Anita Barnett
Jason Young
Sharon Bracknell
Phillip Dunkley
Janet Perkins

Caravan Parks and Camping Grounds Act 1995Authorised Persons

Dale Stewart
Garry Bird
Gregg Harwood
Annette Harbron
Rob Whooley
Rowan Dimmock
Charmaine Shelley
Graham Blackmore
Iain Dines
Robert Ohle
Lee Shelley
Nathan Hall
Phillip Dunkley
Bob Barber
Iain Dines

Control of Vehicles (Off-Road Areas) Act 1978Authorised Persons

Dale Stewart
Garry Bird
Annette Harbron
Rob Whooley
Gregg Harwood
Rowan Dimmock
Charmaine Shelley
Phillip Dunkley
Bob Barber
Iain Dines
Robert Ohle
Lee Shelley
Nathan Hall
Jean Brenton —Parry Beach
Sam Brenton —Parry Beach
Gary Grigg —Ocean Beach
George Mumford —Ocean Beach
Peter Campbell —Ocean Beach
Martin Norwood —Ocean Beach
Ethan Stewart —Ocean Beach
Patrick McCarthy —Ocean Beach
Phoebe Thornton —Ocean Beach
Don Hodgetts —Peaceful Bay
Hayden Jones —Peaceful Bay
Judy Rowlands —Peaceful Bay
Patrick Thompson —Peaceful Bay
Jo Rowe —Peaceful Bay
Tony Duckett —Peaceful Bay

Litter Act 1979Authorised Persons

Dale Stewart
Garry Bird
Gregg Harwood
Annette Harbron
Rob Whooley
Rowan Dimmock

Charmaine Shelley
 Phillip Dunkley
 Bob Barber
 Iain Dines
 Robert Ohle
 Nathan Hall

Local Government (Miscellaneous Provisions) Act 1960

Authorised Persons and Pound Keepers

Dale Stewart
 Garry Bird
 Gregg Harwood
 Annette Harbron
 Rob Whooley
 Rowan Dimmock
 Charmaine Shelley
 Phillip Dunkley
 Bob Barber
 Graham Blackmore
 Iain Dines
 Lee Shelley
 Nathan Hall
 Phillip Dunkley
 Robert Ohle

Local Government Act 1995

Authorised Persons

Dale Stewart
 Garry Bird
 Gregg Harwood
 Annette Harbron
 Rob Whooley
 Rowan Dimmock
 Charmaine Shelley
 Phillip Dunkley
 Bob Barber
 Graham Blackmore
 Iain Dines
 Robert Ohle
 Nathan Hall

Bush Fires Act 1954 and Bush Fires Regulations 1954

Authorised Persons

Dale Stewart
 Garry Bird
 Gregg Harwood
 Annette Harbron
 Rob Whooley
 Lee Shelley
 Charmaine Shelley
 Nathan Hall
 Phillip Dunkley
 Bob Barber
 Iain Dines

Office Bearers and Bush Fire Control Officers

Chief Bush Fire Control Officer	Graeme Thallon
Deputy Chief FCO	Wayne Kranendonk
Fire Weather Officer	Adrian Kranendonk

Bush Fire Control Officers

Shire of Denmark	Nathan Hall
Shire of Denmark	Rowan Dimmock
Shire of Denmark	Charmaine Shelley
Carmarthen Brigade	Leslie Baines
Denmark East Brigade	Christopher Hoare
Harewood Brigade	Michael Hills
Hazelvale Brigade	Alexander Williams
Kordabup Brigade	Bruce Pringle
Mehniup Brigade	David Guthrie
Mt Lindsay Brigade	Malcolm Hick
Nornalup Brigade	Jean-Marc Merat
Ocean Beach Brigade	Derek Baker
Owingup Brigade	Samantha Blythe
Parryville Brigade	Kevin Hard
Peaceful Bay Brigade	Alec Cull

Scotsdale Brigade	Arthur Marshall
Shadforth Brigade	Lee Shelley
Somerset Hill Brigade	Ross McDougall
Tingledale Brigade	Brian Vigus
Town Brigade	Donald Atkinson
William Bay Brigade	Joan Merrifield
V.F.R.S. (Town)	Gary Stanway

Health Act 1911Authorised Persons

Dale Stewart
 Garry Bird
 Rob Whooley
 Gregg Harwood
 Robert Ohle
 Graham Blackmore
 Nathan Hall

All Shire of Denmark Local LawsAuthorised Persons

Dale Stewart
 Garry Bird
 Annette Harbron
 Rob Whooley
 Gregg Harwood
 Robert Ohle
 Rowan Dimmock
 Charmaine Shelley
 Graham Blackmore
 Iain Dines
 Nathan Hall
 Phillip Dunkley
 Bob Barber

Shire of Denmark Pest Plant Local Laws

Craig Baru

Shire of Denmark Property Local LawAuthorised Persons

Jean Brenton	—Parry Beach
Sam Brenton	—Parry Beach
Gary Grigg	—Ocean Beach
George Mumford	—Ocean Beach
Peter Campbell	—Ocean Beach
Martin Norwood	—Ocean Beach
Ethan Stewart	—Ocean Beach (life guard)
Patrick McCarthy	—Ocean Beach (life guard)
Phoebe Thornton	—Ocean Beach (life guard)
Don Hodgetts	—Peaceful Bay
Hayden Jones	—Peaceful Bay
Judy Rowlands	—Peaceful Bay
Patrick Thompson	—Peaceful Bay
Jo Rowe	—Peaceful Bay
Tony Duckett	—Peaceful Bay
Damian Schwarzbach	—Mclean Park Recreational Facility
Jodie Hickey	—Mclean Park Recreational Facility
Aaron Bailey	—Mclean Park Youth Precinct

Shire of Denmark Town Planning Scheme No. 3Authorised Persons

Dale Stewart
 Garry Bird
 Annette Harbron
 Craig Baru
 Gregg Harwood
 Rowan Dimmock
 Charmaine Shelley
 Nathan Hall
 Robert Ohle
 Graham Blackmore
 Iain Dines
 Bruce Smith
 Martin Buczak

All previous appointments under these Acts and Local Laws including the 2011/2012 Fire Season Fire Control Officer Appointments which were published on page 2968 of *Gazette* No. 135 published on the 15 July 2011 are hereby cancelled.

GREGG HARWOOD, Acting Chief Executive Officer.

Date 20 September 2012.

LG501*

BUSH FIRES ACT 1954

Shire of Northam

FIREBREAK NOTICE

Pursuant to the powers contained in Section 33 of the Bush Fires Act 1954, notice is hereby given to all owners and occupiers of land within the Shire of Northam that Council has adopted the following requirements to prevent the outbreak or spread of a bushfire within the Shire.

All owners and/or occupiers of land within the Shire are required to carry out fire prevention work in accordance with this notice by 1st November each calendar year. All work required by this notice shall be maintained until 30th April the following calendar year.

FIRE PREVENTION REQUIREMENTS

LAND AREA LESS THAN 1 HECTARE

All hazardous material must be removed from the whole of the land except living trees, shrubs and plants. In this area remaining vegetation except living trees, shrubs and plants is to be maintained to a height of no greater than 7.5cm. It is recommended that a 2 metre wide firebreak should also be installed, clear of all

flammable material, immediately within the external boundaries of the lot.

As a guideline property owners or occupiers of land are requested, in addition to the applicable firebreak, to clear any flammable material or obstructions (overhanging branches of trees) which may impede the travel of fire fighting personnel and fire appliances.

LAND AREA GREATER THAN 1 HECTARE

Install a 2 metre wide firebreak, clear of all flammable material, immediately within the external boundaries of the lot and maintain a 15 metre wide low fuel area with a maximum vegetation height (excepting living trees, shrubs and plants) of 7.5 cm around all buildings.

As a guideline property owners or occupiers of land are requested, in addition to the applicable firebreak, to clear any flammable material or obstructions (overhanging branches of trees) which may impede the travel of fire fighting personnel and fire appliances.

ALL OTHER LAND

(includes the Rural Smallholdings zones of Koojeda Hills, Red Courte Estate, Glenmore Park, Mokine, Clackline)

LAND AREA LESS THAN 5 HECTARES

Install a 2 metre wide firebreak, clear of all flammable material, immediately within the external boundaries of the lot and Install a 2 metre firebreak, clear of all flammable material around and within 7 metres of all buildings and fuel storage areas and maintain a 15 metre wide low fuel area with a maximum vegetation (excepting living trees, shrubs and plants) height of 7.5 cm.

As a guideline property owners or occupiers of land are requested, in addition to the applicable firebreak, to clear any flammable material or obstructions (overhanging branches of trees) which may impede the travel of fire fighting personnel and fire appliances.

LAND AREA GREATER THAN 5 HECTARES

Install a 2 metre wide firebreak clear of all flammable material, install a 2 metre firebreak, clear of all flammable material around and within 7 metres of all buildings and maintain a 15 metre wide low fuel area with a maximum vegetation height (excepting living trees, shrubs and plants) of 7.5 cm.

Firebreaks 2 metres wide shall be cleared and maintained within 7 metres around haystacks, fuel storage areas and buildings including a 15 metre wide low fuel zone with a maximum vegetation (excepting living trees, shrubs and plants) height of 7.5cm.

A lot greater than 200 hectares requires a 2 metre firebreak to be installed around all parcels of 200 hectares or less; A 2 metre firebreak is required around all stationary motors; A 2 metre firebreak is required around all internal fences that are constructed of rubber tyres and; Any fences constructed of rubber tyres shall be kept clear of all flammable materials.

As a guideline property owners or occupiers of land are requested, in addition to the applicable firebreak, to clear any flammable material or obstructions (overhanging branches of trees) which may impede the travel of fire fighting personnel and fire appliances.

ACCESS TO PROPERTY

All buildings and constructions within the Shire of Northam shall have a minimum 3 metre wide access-way with a 3 metre high vertical clearance from the property's legal access point to the buildings. The purpose of this access-way is to enable access to property improvements by emergency service vehicles and personnel in an emergency situation.

FAILURE TO COMPLY

Failure to comply with a Firebreak and/or a Fire Hazard Notice carries a maximum fine of \$1000 or a prescribed penalty of \$250 on service of an infringement.

A person in default is also liable whether prosecuted or not to pay the costs of performing the work directed by this notice if it is not carried out by the owner/occupier by the date required by the notice.

DEFINITIONS

For the purposes of this order the following definitions apply—

Firebreak—means ground from which inflammable material has been removed and in which no inflammable material (which includes vegetation) is permitted.

Hazardous Material—relates to any matter or material that can catch alight. It includes garden waste, rubbish and unslashed / long grass.

Low Fuel Area—means an area of land which has no hazardous material within it and is maintained on an ongoing basis during the firebreak period.

ALTERNATIVE ARRANGEMENTS

If it is considered impractical or undesirable to provide firebreaks as required within this order, the approval of Council must be obtained for any variation.

Approval will only be granted up to or before the 7th of November of any year, and will not be obtained unless the prior consent of the appropriate fire control officer has been obtained.

If approval is granted it will be issued in writing and remain until revoked by Council.

HARVEST , MOVEMENT OF VEHICLES AND HOT WORKS BANS

A harvest ban requires the cessation of all harvesting operations within the Shire of Northam. A vehicle movement ban does not permit the movement of vehicles on properties within the Shire of Northam except for the essential watering of stock. A hot works ban is defined as a ban on the outdoor use of all welding, grinding and abrasive tools on properties within the Shire of Northam. Exemptions in accordance with Council Policy may be available. Further information is available by contacting Ranger Services on (08) 9622 7267.

The need for a ban will be advertised on ABC Radio 531AM and RadioWest 864 AM. Ban updates can be obtained 24 / 7 from the Harvest Ban Phone Line on (08) 9621 1120 or via a free SMS service which is available upon request from the Shire of Northam (08) 0622 6100.

GENERAL ADVICE

This notice gives the minimum requirements for fire control within the Shire of Northam and all residents and ratepayers are encouraged to undertake additional fire protection measures to ensure the safety of property and life. Further additional information to that contained in this notice can be obtained from the Fire and Emergency Services Authority website www.fesa.wa.gov.au or from the Shire of Northam website www.northam.wa.gov.au.

A permit to burn must be obtained during the Restricted Burning Period. Permits are generally subject to a number of conditions, but will not be issued for burning on Sundays or Public Holidays, unless approved by the Chief Bush Fire Control Officer.

Gas and electric barbeques are permitted at any time during the Restricted Period, but care should be exercised when using them. Solid fuel barbeques and incinerators are prohibited during the Restricted Period on days of very high or extreme fire danger. A properly constructed incinerator must be used.

Do not light any fires or use Solid fuel barbeques during the prohibited burning period. This includes open cooking or campfires. Do not burn the road verge without the permission of the Shire and a permit. Check the weather forecast before undertaking any burning.

The above dates may change due to seasonal fire conditions in which case the details of the changes will be published in the local press.

Permits must be issued by a designated Fire Control Officer. A list of all Fire Control Officers is available on the Shire of Northam website or by contacting your local Bush Fire Brigade or Council Offices. Burning permits are issued free of charge.

N. A. HALE, Chief Executive Officer.

MINERALS AND PETROLEUM

MP401***PETROLEUM PIPELINES ACT 1969**

VARIATION OF PIPELINE LICENCE

Pipeline Licence PL 40 held by DBNGP (WA) Nominees Pty Limited has been varied by instrument of Variation STP-PLV-0020, to authorise the Licensee to construct a new receipt point for the Macedon

Inlet Station which is to allow supply of gas from the Macedon Gas Plant into the Dampier to Bunbury Natural Gas Pipeline with effect from 25 September 2012.

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

25 September 2012.

MP402*

MINING ACT 1978
INTENTION TO FORFEIT

Department of Mines and Petroleum,
Perth WA 6000.

In accordance with Regulation 50(b) of the *Mining Regulations 1981*, notice is hereby given that unless the rent due on the under mentioned mining tenements are paid on or before 22 October 2012 it is the intention of the Minister for Mines and Petroleum under the provisions of sections 96A(1) and 97(1) of the *Mining Act 1978* to forfeit such for breach of covenant, being non-payment of rent.

DIRECTOR GENERAL.

Number	Holder	Mineral Field
Exploration Licence		
E 08/2133	Korab Resources Limited	Ashburton
E 09/1675	Imic Pty Ltd	Gascoyne
E 30/427	Maddison Resources Pty Ltd	North Coolgardie
E 37/1077	Francis, Raymond John Wozniak, Wieslaw	Mt Margaret
E 38/1841	White Cliff Minerals Limited Daewoo International Australia Pty Limited Kores Australia White Cliff Nickel Pty Ltd	Mt Margaret
E 38/2091	White Cliff Minerals Limited Daewoo International Australia Pty Limited Kores Australia White Cliff Nickel Pty Ltd	Mt Margaret
E 38/2092	White Cliff Minerals Limited Daewoo International Australia Pty Limited Kores Australia White Cliff Nickel Pty Ltd	Mt Margaret
E 38/2510	Resource Assets Pty Ltd Redfeather Holdings Pty Ltd	Mt Margaret
E 51/1335	Doray Minerals Limited Jml Resources Pty Ltd	Murchison
E 59/1612	Hill, Paul Anthony	Yalgoo
E 63/1427	Jml Resources Pty Ltd	Dundas
E 69/2825	United Orogen Limited	Warburton
E 80/3734	Harfort Investments Pty Ltd	Kimberley
E 80/3738	Harfort Investments Pty Ltd	Kimberley
E 80/4388	Jorry Pty Ltd	Kimberley
Mining Lease		
M 24/438	Paddington Gold Pty Limited	Broad Arrow
M 24/439	Paddington Gold Pty Limited	Broad Arrow
M 24/643	Paddington Gold Pty Limited	Broad Arrow
M 27/221	Kanowna Mines Ltd (Acn 053 530 037)	N. E. Coolgardie
M 45/1135	Bacon, Kenneth	Pilbara
M 59/291	Ucabs Pty Ltd	Yalgoo

MP403*

MINING ACT 1978
APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Mines and Petroleum,
Mt. Magnet WA 6638.

In accordance with Regulation 49(2)(c) of the *Mining Regulations 1981*, notice is hereby given that the following licences are liable to forfeiture under the provision of Section 96(1)(a) of the Mining Act 1978 for breach of covenant, being failure to comply with the prescribed expenditure conditions and/or non-compliance with the reporting provisions.

L. ATKINS, Warden.

To be heard by the Warden at Mt. Magnet on 8 November 2012.

EAST MURCHISON MINERAL FIELD

Prospecting Licences

P 57/1245 Zuks, Nikolajas
 Zuks, Adam

MURCHISON MINERAL FIELD

Prospecting Licences

P 20/2020 Bolton, Timothy John
P 21/685 Big Bell Gold Operations Pty Ltd
P 58/1448 Fogarty, Edward Keith
 Lane, Vaughan Wesley
 Headlam, Roderick James
P 58/1460 McNab, Ralph Alexander
P 58/1461 McNab, Ralph Alexander
P 58/1505 Godfrey, Keith Robert

YALGOO MINERAL FIELD

Prospecting Licences

P 59/1901 Ellenbrook Contracting Pty Ltd

MAIN ROADS

MX401*

ROAD TRAFFIC ACT 1974
ROAD TRAFFIC (VEHICLE STANDARDS) REGULATIONS 2002
CLASS 3 RESTRICTED ACCESS VEHICLE NOTICE 2012

Harvest Mass Management Scheme

Pursuant to regulation 33 of the *Road Traffic (Vehicle Standards) Regulations 2002*, I Reece Waldock, the Commissioner of Main Roads, hereby exempt vehicles which are operating in accordance with the Harvest Mass Management Scheme 2012/13 ("the HMMS") from the mass limits prescribed under the *Road Traffic (Vehicle Standards) Regulations 2002*, Division 1 of Schedule 1, Clauses 2(3) and 2(6) (c), 3(1) and 4(1) subject to the following conditions—

1. The motor vehicle must be registered under the HMMS and operating in accordance with the HMMS Business Rules 2012/13, as published on www.mainroads.wa.gov.au or available from Main Roads Heavy Vehicle Operations;
2. The vehicle must be loaded from a paddock and must be driven directly to a Grain Receiver that is registered with Main Roads Heavy Vehicle Operations as an HMMS participant;
3. The vehicle must comply with the requirements stipulated by the Grain Receiver in accordance with the HMMS Business Rules 2012/13;
4. The vehicle and its load must not exceed the lesser of 10 per cent or 10 tonne over an exempted mass limit;
5. A vehicle under 19 metres in length, that does not require a Main Roads RAV Permit when unladen, is permitted to operate under this notice on any public road, other than a road that is restricted under *RAV Network 1*, as published on www.mainroads.wa.gov.au or available from Main Roads Heavy Vehicle Operations;

6. A vehicle that requires a Main Roads RAV Permit when unladen is only permitted to operate under this notice on roads specified in the relevant RAV Permit;
7. A vehicle mentioned in clause 6 must comply with the conditions of the RAV Permit, other than conditions relating to mass limits.

This exemption notice shall remain in force up to and including the 28th February 2013 whereby this notice is revoked by the Commissioner of Main Roads.

SUE McCARREY, Acting Commissioner of Main Roads.

PLANNING

PL401*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
Shire of Capel
Town Planning Scheme No. 7—Amendment No. 48

Ref: TPS/0440

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the Shire of Capel local planning scheme amendment on 12 September 2012 for the purpose of—

1. Modifying PART III—ZONES of the Scheme Text as follows—
 - (a) Modification of the title to read 'PART III—ZONES and SPECIAL CONTROL AREAS'.
 - (b) Modification of Clause 3.1 ZONES to read '3.1 ZONES AND SPECIAL CONTROL AREAS'.
 - (c) Modification of Clause 3.1.1 to read 'There are hereby created several zones and special control areas set out hereunder.'
 - (d) Inclusion of 'Special Control Areas' in Clause 3.1.1; and
 - (e) Modification of Clause 3.1.2 to read 'The zones and special control areas are delineated and depicted on the Scheme Map according to the legend thereon.'
2. Inserting Clause 3.5 'SPECIAL CONTROL AREAS' into PART III of the Scheme Text as follows—
 - 3.5 SPECIAL CONTROL AREAS
 - 3.5.1 The following special control areas are shown on the Scheme Map—
 - (a) Development contribution areas shown on the Scheme Map as 'DCA' with a green border and a number and included in Appendix 17.
 - 3.5.2 In respect of a special control area shown on the Scheme Map, the provisions applying to the special control area apply in addition to the provisions applying to any underlying zone or reserve and any general provisions of the Scheme.
3. Modifying PART V—DEVELOPMENT OF LAND AND REQUIREMENTS IN PARTICULAR ZONES of the Scheme Text to read "PART V—DEVELOPMENT AND REQUIREMENTS IN PARTICULAR ZONES AND SPECIAL CONTROL AREAS".
4. Inserting Clause 5.11 'SPECIAL CONTROL AREAS—DEVELOPMENT CONTRIBUTION AREA' into PART V of the Scheme Text as follows—

5.11 DEVELOPMENT CONTRIBUTION AREAS

5.11.1 Interpretation

In Clause 5.11, unless the context otherwise requires—

'Administrative costs' means such costs as are reasonably incurred for the preparation and (with respect to standard infrastructure items) implementation of the development contribution plan.

'Administrative items' means the administrative matters required to be carried out by or on behalf of the local government in order to prepare and (with respect to standard infrastructure items) implement the development contribution plan, including legal, accounting, planning engineering, and other professional advice.

'Cost apportionment schedule' means a schedule prepared and distributed in accordance with clause 5.11.9.

'Cost contribution' means the contribution to the cost of infrastructure and administrative costs.

'Development contribution area' means the area shown on the Scheme map as 'DCA' with a number and included in Appendix 17.

'Development contribution plan' means a development contribution plan prepared in accordance with the provisions of *State Planning Policy 3.6 Development Contributions for Infrastructure* and the provisions of this clause 5.11 of the Scheme (as incorporated in Appendix 17 to this Scheme).

'Development contribution plan report' means a report prepared and distributed in accordance with clause 5.11.9.

'Infrastructure' means the standard infrastructure items and community infrastructure, including recreational facilities; community centres; child care and after school centres; libraries and cultural facilities and such other services and facilities for which development contributions may reasonably be requested having regard to the objectives, scope and provisions of this Scheme.

'Infrastructure costs' means such costs as are reasonably incurred for the acquisition and construction of infrastructure.

'Local government' means the local government or local governments in which the development contribution area is located or through which the services and facilities are provided.

'Owner' means an owner of land that is located within a development contribution area.

5.11.2 Purpose

The purpose of having development contribution areas is to—

- (a) provide for the equitable sharing of the costs of infrastructure and administrative costs between owners;
- (b) ensure that cost contributions are reasonably required as a result of the subdivision and development of land in the development contribution area; and
- (c) coordinate the timely provision of Infrastructure.

5.11.3 Development contribution plan required

A development contribution plan is required to be prepared for each development contribution area.

5.11.4 Development contribution plan part of Scheme

The development contribution plan is incorporated in Appendix 17 as part of this scheme.

5.11.5 Subdivision and development

The local government shall not withhold its support for subdivision or strata subdivision or refuse to approve a development solely for the reason that a development contribution plan is not in effect, there is no approval to advertise a development contribution plan, or that there is no other arrangement with respect to an owners contribution towards the provision of community infrastructure.

5.11.6 Guiding principles for development contribution plans

The development contribution plan for any development contribution area is to be prepared in accordance with the following principles—

- (a) Need and the nexus
The need for the infrastructure included in the plan must be clearly demonstrated (need) and the connection between the development and the demand created should be clearly established (nexus).
- (b) Transparency
Both the method for calculating the development contribution and the manner in which it is applied should be clear, transparent and simple to understand and administer.
- (c) Equity
Development contributions should be levied from all developments within a development contribution area, based on their relative contribution to need.
- (d) Certainty
All development contributions should be clearly identified and methods of accounting for cost adjustments determined at the commencement of a development.
- (e) Efficiency
Development contributions should be justified on a whole of life capital cost basis consistent with maintaining financial discipline on service providers by precluding over recovery of costs.
- (f) Consistency
Development contributions should be applied uniformly across a development contribution area and the methodology for applying contributions should be consistent.

- (g) Right of consultation and review
Owners have the right to be consulted on the manner in which development contributions are determined. They also have the opportunity to seek a review by an independent third party if they believe the calculation of the costs of the contributions is not reasonable.
- (h) Accountable
There must be accountability in the manner in which development contributions are determined and expended.

5.11.7 Content of development contribution plans

A development contribution plan is to specify—

- (a) the development contribution area to which the development contribution plan applies;
- (b) the infrastructure and administrative items to be funded through the development contribution plan;
- (c) the method of determining the cost contribution of each owner; and
- (d) the priority and timing for the provision of infrastructure.

5.11.8 Period of development contribution plan

A development contribution plan shall specify the period during which it is to operate.

5.11.9 Land Excluded

In calculating both the area of an owner's land and the total area of land in a development contribution area, the area of land provided in that development contribution area for—

- (a) roads designated under the Bunbury Region Scheme as primary regional roads and other regional roads;
- (b) existing public open space;
- (c) existing government primary and secondary schools; and
- (d) such other land as is set out in the development contribution plan, is to be excluded.

5.11.10 Development contribution plan report and cost apportionment schedule

- 5.11.10.1 Within 90 days of the development contribution plan coming into effect, the local government is to adopt and make available a development contribution plan report and cost apportionment schedule to all owners in the development contribution area.
- 5.11.10.2 The development contribution plan report and the cost apportionment schedule do not form part of the Scheme, but once adopted by the local government they are subject to review as provided under clause 5.11.11.

5.11.11 Cost contributions based on estimates

- 5.11.11.1 The determination of Infrastructure costs and administrative costs is to be based on amounts expended, but when expenditure has not occurred, it is to be based on the best and latest estimated costs available to the local government and adjusted accordingly, if necessary.
- 5.11.11.2 Where a cost apportionment schedule contains estimated costs, such estimated costs are to be reviewed at least annually by the local government—
 - (a) in the case of land to be acquired, in accordance with clause 5.11.12; and
 - (b) in all other cases, in accordance with the best and latest information available to the local government,until the expenditure on the relevant item of infrastructure or administrative costs has occurred.
- 5.11.11.3 The local government is to have such estimated costs independently certified by appropriate qualified persons and must provide such independent certification to an owner when requested to do so.
- 5.11.11.4 Where any cost contribution has been calculated on the basis of an estimated cost, the local government—
 - (a) is to adjust the cost contribution of any owner in accordance with the annual review of estimated costs; and
 - (b) may accept a cost contribution, based upon estimated costs, as a final cost contribution and enter into an agreement with the owner accordingly.
- 5.11.11.5 Where an owner's cost contribution is adjusted under clause 5.11.11.4, the local government, on receiving a request in writing from an owner, is to provide the owner with a copy of estimated costs and the calculation of adjustments.
- 5.11.11.6 If an owner objects to the amount of a cost contribution, the owner may give notice to the local government requesting a review of the amount of the cost contribution by an appropriate qualified person ('independent expert') agreed by the local government and the owner at the owner's expense, within 28 days after being informed of the cost contribution.

5.11.11.7 If the independent expert does not change the cost contribution to a figure acceptable to the owner, the cost contribution is to be determined—

- (a) by any method agreed between the local government and the owner; or
- (b) if the local government and the owner cannot agree on a method pursuant to (a) or on an independent expert, by arbitration in accordance with the *Commercial Arbitration Act 1985*, with the costs to be shared equally between the local government and owner.

5.11.12 Valuation

5.11.12.1 Clause 5.11.12 applies in order to determine the value of land to be acquired for the purpose of providing Infrastructure.

5.11.12.2 In clause 5.11.12—

'Value' means the fair market value of land, at a specified date, which is defined as the capital sum that would be negotiated in an arms length transaction in an open and unrestricted market, assuming the highest and best use of the land with all its potential and limitations (other than the limitation arising from the transaction for which the land is being valued), wherein the parties act knowledgeably, prudently and without compulsion to buy or sell.

'Valuer' means a licensed valuer agreed by the local government and the owner or, where the local government and the owner are unable to reach agreement, by a valuer appointed by the Australian Property Institute.

5.11.12.3 If an owner objects to a valuation made by the valuer, the owner may give notice to the local government requesting a review of the amount of the value, at the owner's expense, within 28 days after being informed of the value.

5.11.12.4 If following a review, the valuer's determination of the value of the land is still not a figure acceptable to the owner, the value is to be determined—

- (a) by any method agreed between the local government and the owner; or
- (b) if the local government and the owner cannot agree, the owner may apply to the State Administrative Tribunal for a review of the matter under part 14 of the *Planning and Development Act 2005*.

5.11.13 Liability for cost contributions

5.11.13.1 An owner must make a cost contribution in accordance with the applicable development contribution plan and the provisions of clause 5.11.

5.11.13.2 An owner's liability to pay the owner's cost contribution to the local government arises on the earlier of—

- (a) the Western Australian Planning Commission endorsing its approval on the deposited plan or survey strata plan of the subdivision of the owner's land within the development contribution area;
- (b) the commencement of any development that requires planning consent on the owner's land within the development contribution area;
- (c) the approval of any strata plan by the local government or Western Australian Planning Commission on the owner's land within the development contribution area;
- (d) the approval of a change or extension of use by the local government on the owner's land within the development contribution area.

The liability arises only once upon the earliest of the above listed events.

5.11.13.3 Notwithstanding clause 5.11.13.2, an owner's liability to pay the owner's cost contribution does not arise if the owner commences development of the first single house or outbuildings associated with that first single house on an existing lot which has not been subdivided or strata subdivided since the coming into effect of the development contribution plan.

5.11.13.4 Where a development contribution plan expires in accordance with clause 5.11.8, an owner's liability to pay the owner's cost contribution under that development contribution plan shall be deemed to continue in effect and be carried over into any subsequent development contribution plan which includes the owner's land, subject to such liability.

5.11.14 Payment of cost contribution

5.11.14.1 The owner, with the agreement of the local government, is to pay the owner's cost contribution by—

- (a) cheque or cash;
- (b) transferring to the local government or a public authority land in satisfaction of the cost contribution;
- (c) the provision of physical infrastructure;
- (d) some other method acceptable to the local government; or
- (e) any combination of these methods.

5.11.14.2 The owner, with the agreement of the local government, may pay the owner's cost contribution in a lump sum, by instalments or in such other manner acceptable to the local government.

- 5.11.14.3 Payment by an owner of the cost contribution, including a cost contribution based upon estimated costs in a manner acceptable to the local government, constitutes full and final discharge of the owner's liability under the development contribution plan and the local government shall provide certification in writing to the owner of such discharge if requested by the owner.

5.11.15 Charge on land

- 5.11.15.1 The amount of any cost contribution for which an owner is liable under clause 5.11.13, but has not paid, is a charge on the owner's land to which the cost contribution relates, and the local government may lodge a caveat, at the owner's expense, against the owner's certificate of title to that land.
- 5.11.15.2 The local government, at the owner's expense and subject to such other conditions as the local government thinks fit, can withdraw a caveat lodged under clause 5.11.15.1 to permit a dealing and may then re-lodge the caveat to prevent further dealings.
- 5.11.15.3 If the cost contribution is paid in full, the local government, if requested to do so by the owner and at the expense of the owner, is to withdraw any caveat lodged under clause 5.11.15.

5.11.16 Administration of funds

- 5.11.16.1 The local government is to establish and maintain a reserve account in accordance with the *Local Government Act 1995* for each development contribution area into which cost contributions for that development contribution area will be credited and from which all payments for the infrastructure costs and administrative costs within that development contribution area will be paid. The purpose of such a reserve account or the use of money in such a reserve account is limited to the application of funds for that development contribution area.
- 5.11.16.2 Interest earned on cost contributions credited to a reserve account in accordance with clause 5.11.15.1 is to be applied in the development contribution area to which the reserve account relates.
- 5.11.16.3 The local government is to publish an audited annual statement of accounts for that development contribution area as soon as practicable after the audited annual statement of accounts becomes available.

5.11.17 Shortfall or excess in cost contributions

- 5.11.17.1 If there is a shortfall in the total of cost contributions when all cost contributions have been made or accounted for in a particular development contribution area, the local government may—
- (a) make good the shortfall;
 - (b) enter into agreements with owners to fund the shortfall; or
 - (c) raise loans or borrow from a financial institution,
- but nothing in paragraph 5.11.17.1(a) restricts the right or power of the local government to impose a differential rate to a specified development contribution area in that regard.
- 5.11.17.2 If there is an excess in funds available to the development contribution area when all cost contributions have been made or accounted for in a particular development contribution area, the local government is to refund the excess funds to contributing owners for that development contribution area. To the extent, if any, that it is not reasonably practicable to identify owners and/or their entitled amount of refund, any excess in funds shall be applied, to the provision of additional facilities or improvements in that development contribution area.

5.11.18 Powers of the local government

The local government in implementing the development contribution plan has the power to—

- (a) acquire any land or buildings within the Scheme area under the provisions of the *Planning and Development Act 2005*; and
- (b) deal with or dispose of any land which it has acquired under the provisions of the *Planning and Development Act 2005* in accordance with the law and for such purpose may make such agreements with other owners as it considers fit.

5.11.19 Arbitration

Subject to clauses 5.11.11.3 and 5.11.11.4, any dispute between an owner and the local government in connection with the cost contribution required to be made by an owner is to be resolved by arbitration in accordance with the *Commercial Arbitration Act 1985*.

5. Inserting a new 'Appendix 17—Development Contribution Plans' into the Scheme Text as follows—

APPENDIX 17—DEVELOPMENT CONTRIBUTION PLANS

Reference No.	DCP1
Area name	DCA1—Capel (applies to the land in the Capel Townsite Structure Plan)
Relationship to other planning instruments	Development Contribution Plan 1 generally conforms to the Shire's Strategic Plan and the Capel Townsite Strategy.
Infrastructure and administrative items to be funded	
Method of calculating contributions	
Period of operation	
Priority and timing	
Review process	

Reference No.	DCP 2
Area name	DCA2—Boyanup (applies to the land in the Boyanup Townsite Structure Plan)
Relationship to other planning instruments	Development Contribution Plan 2 generally conforms to the Shire's Strategic Plan and the Boyanup Townsite Strategy.
Infrastructure and administrative items to be funded	
Method of calculating contributions	
Period of operation	
Priority and timing	
Review process	

Reference No.	DCP3
Area name	DCA3—Dalyellup (applies to the land in the Dalyellup urban area)
Relationship to other planning instruments	Development Contribution Plan 3 generally conforms to the Shire's Strategic Plan and the relevant structure plans.
Infrastructure and administrative items to be funded	
Method of calculating contributions	
Period of operation	
Priority and timing	
Review process	

6. Amending the Scheme map by inserting into the legend a 'Special Control Area—Development Contribution Area' to be shown as 'DCA' with a number and within a green border.
7. Amending the Scheme map by including the Capel urban area, Boyanup urban area and Dalyellup urban area as shown on the relevant Scheme Amendment Map sheets within 'Special Control Area—Development Contribution Areas 1, 2 and 3' respectively.

M. T. SCOTT, Shire President.
P. F. SHEEDY, Chief Executive Officer.

PL402*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
Shire of Capel
 Town Planning Scheme No. 7—Amendment No. 49

Ref: TPS/0579

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the Shire of Capel local planning scheme amendment on 28 August 2012 for the purpose of deleting clause 2(b) of Appendix 16 Development Precinct No. 1 and replace with the following—

The subdividing land owners of Lots 803 and 9012 Norton Promenade shall make provision for the future development of a District Centre generally in accordance with an endorsed Local Structure Plan for this Precinct. The District Centre shall make provision for a maximum of 20,000 square metres of gross leasable retail floor space area as well as provision for other uses such as, but not necessarily limited to, medical centre, service station and sites for other non-retail commercial uses such as a tavern, commercial recreation, service commercial, showroom-warehouse, residential and offices.

M. T. SCOTT, Shire President.
 P. F. SHEEDY, Chief Executive Officer.

PL403*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
Shire of Chapman Valley
 Town Planning Scheme No. 1—Amendment No. 47

Ref: TPS/0499

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the Shire of Chapman Valley local planning scheme amendment on 12 September 2012 for the purpose of—

1. Rezoning Lot 2 Olsen Road, Howatharra from the 'General Farming' zone to the 'Special Rural' zone.
2. Amending Appendix 6 of the Scheme Text by inserting the following text (special conditions)—

Area No. 20	Lot 2 Olsen Road, Howatharra
Subdivision	(a) Subdivision, development and land use shall generally be in accordance with the Subdivision Guide Plan as adopted by the Local Government and endorsed by the Western Australian Planning Commission.
Building	(a) Buildings shall be confined to the building envelopes as generally identified on the Subdivision Guide Plan. Variation/s to the proposed building envelopes may occur upon environmental reporting being undertaken to the satisfaction of the Local Government. (b) All buildings shall be sympathetic to existing landscape elements, namely landform, vegetation and amenity, in terms of their design, height, location, materials and cladding colours. (c) All stormwater and runoff from buildings and impervious surfaces shall be disposed of within each lot to the satisfaction of the Local Government. (d) All building development shall accord with the Local Government's Rural Bushfire Policy and FESA requirements.
Stock Control	(a) The keeping of animals shall only take place upon areas identified upon the Subdivision Guide Plan. (b) The keeping of animals shall accord with the maximum stocking rates as prescribed by the Department of Agriculture and Food. (c) Application for approval to increase the stocking rate above the minimum prescribed is to be submitted to and determined by the Local Government. The Local Government in determining an application for an increase in the stocking rate may consult with the Department of Agriculture and Food and affected surrounding landowners on desirable rates and applicable pasture types.

Area No. 20	Lot 2 Olsen Road, Howatharra
	(d) Notwithstanding (b) above, the Local Government may reduce or vary the limit on stocking or place any other conditions in light of prevailing seasonal conditions to prevent overstocking, erosion, or other practices detrimental to the environment or amenity of the neighbouring properties.
Vegetation Protection	(a) A Restrictive Covenant is to be placed on the Title of each lot limiting the clearing of remnant vegetation to designated building envelopes, with the exception of fire control, driveway access and servicing. (b) Prior to the stocking of any areas identified upon the Subdivision Guide Plan as suitable for the keeping of animals, all remnant vegetation shall be protected from livestock by means of fencing to an appropriate standard to the approval of the Local Government.
Servicing	(a) No dwelling shall be constructed or approved for construction unless an approved method of on-site effluent disposal suitable for long-term usage has been incorporated into the approved plans to the satisfaction of the Local Government in consultation with the Health Department of WA. (b) The Local Government may request the Western Australian Planning Commission impose a condition at the time of subdivision that requires the subdivider construct any roads required to provide adequate vehicular access to the proposed lots. (c) Construction of a single dwelling on any proposed lot shall be supported by a minimum roof catchment area of 300m ² from all building/s and a rain water storage tank of at least 100,000 litres to sustain a potable water supply. Water for fire fighting purposes may be surplus to this supply and should be in accordance with the Local Government's Rural Bushfire Policy requirements. (d) The Local Government may request the Western Australian Planning Commission impose a condition at the time of subdivision requiring the subdivider to demonstrate the quantity and quality of ground water, with this data to be made available to the Local Government and prospective purchasers of the land. (e) Construction of a dam or soak on the property shall be subject to formal planning consent being granted by the Local Government.
Land Use	(a) Landowners shall not proceed with any form of development or change in land use without having obtained planning consent from the Local Government.
Advice to Purchasers	(a) The Local Government may request the Western Australian Planning Commission impose a condition at the time of subdivision that requires the subdivider to ensure that purchasers and successors in title are advised of— (i) The Local Planning Scheme provisions which relate to the use and management of the land; and (ii) The constraints associated with the use of ground and surface water for intensive agricultural pursuits, and the need to liaise with the Department of Water regarding ground water licensing requirements for commercial use.

3. Amending the Scheme Map accordingly.

J. P. COLLINGWOOD, Shire President.
S. BILLINGHAM, Chief Executive Officer.

PL404*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
City of Rockingham
 Town Planning Scheme No. 2—Amendment No. 113

Ref: TPS/0730

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 12 September 2012 for the purpose of—

1. Amending Clause 3.1.1 by deleting—
 - “• Waterfront Village”,
 and substituting instead—
 - Primary Centre Waterfront Village
 - Primary Centre Urban Village”.
2. Amending Table No. 1—Zoning Table by—
 - (a) deleting the column for “Waterfront Village”;
 - (b) inserting the following two columns being “Primary Centre Waterfront Village” and “Primary Centre Urban Village” and inserting the following use class classifications for each of those zones.

USE CLASS	ZONING	Primary Centre Waterfront Village	Primary Centre Urban Village
RESIDENTIAL USES			
Ancillary Accommodation		X	X
Bed and Breakfast		X	X
Camping Area		X	X
Caravan Park		X	X
Caretaker's Dwelling		IP	IP
Display Home Centre		X	X
Hotel		D	D
Lodging House		D	D
Motel		D	D
Nursing Home		D	X
Residential:			
(a) Single House		D	D
(b) Grouped Dwelling		D	D
(c) Multiple Dwelling		D	D
Residential Building		D	D
Short Stay Accommodation		D	D
COMMERCIAL USES			
Amusement Parlour		D	D
Betting Agency		D	D
Car Wash		D	D
Child Care Premises		D	D
Cinema/Theatre		D	D
Club Premises		D	D

USE CLASS	ZONING	Primary Centre Waterfront Village	Primary Centre Urban Village
Convenience Store		D	D
Consulting Rooms		D	D
Dry Cleaning Premises		D	D
Fast Food Outlet		D	D
Funeral Parlour		D	D
Health Studio		D	D
Home Business		D	D
Home Occupation		D	D
Homestore		X	X
Industry : Cottage		D	D
Laundromat		D	D
Lunch Bar		D	D
Market		D	D
Medical Centre		D	D
Night Club		D	D
Office		D	D
Plant Nursery		X	X
Private Recreation		D	D
Public Amusement		D	D
Reception Centre		D	D
Restaurant		D	D
Restricted Premises		X	X
Service Station		D	D
Shop		D	D
Showroom		D	D
Small Bar		D	D
Tavern		D	D
Veterinary Clinic		D	D
Warehouse		D	D
INDUSTRIAL USES			
Contractor's Yard		X	X
Fuel Depot		X	X
Industry : General		X	X
Industry : General (Licensed)		X	X
Industry : Hazardous		X	X
Industry : Light		X	X
Industry : Noxious		X	X
Industry : Service		X	X
Landscape Supply Yard		X	X

USE CLASS	ZONING	Primary Centre Waterfront Village	Primary Centre Urban Village
Motor Vehicle and Marine Sales Premises		X	X
Motor Vehicle Repair Station		X	X
Motor Vehicle Wrecking Premises		X	X
Open Air Display		X	X
Salvage Yard		X	X
Sawmill		X	X
Trade Display		X	X
Transport Depot		X	X
Veterinary Hospital		X	X
RURAL USES			
Abattoir		X	X
Agriculture—Extensive		X	X
Agriculture—Intensive		X	X
Cattery		X	X
Dog Kennels		X	X
Industry : Extractive		X	X
Industry : Rural		X	X
Livestock Holding Facility		X	X
Piggery		X	X
Poultry Farm		X	X
Produce Store		X	X
Rural Pursuit		X	X
Stockyards		X	X
Wildlife Park		X	X
UTILITIES/COMMUNITY			
Carpark		D	D
Communications Antennae—Commercial		D	D
Communications Antennae—Domestic		P	P
Community Use		D	D
Corrective Institution		X	X
Educational Establishment		D	D
Exhibition Centre		D	D
Hospital		X	X
Hospital : Special Purposes		X	X
Public Utility		D	D
Public Worship : Place of		D	D
Telecommunications Infrastructure		D	D

3. Amending Clause 4.1.3—
 - (a) in paragraph (a) by deleting “the Waterfront Village Zone and”;
 - (b) in paragraph (b)—
 - (i) by deleting “the Waterfront Village Zone and”; and
 - (ii) by deleting “clauses 4.3.8, 4.4.8 and 4.5.5 respectively” and inserting instead “clause 4.5.5”; and
 - (c) in paragraph (c) by deleting “Waterfront Village and”.
4. Amending Clause 4.3.1 by deleting paragraph (a) and inserting instead—

“(a) The Primary Centre comprises—

 - (i) the Primary Centre City Centre Zone;
 - (ii) the Primary Centre Waterfront Village Zone; and
 - (iii) the Primary Centre Urban Village Zone.”
5. Amending Clause 4.3.3—
 - (a) by renumbering paragraphs (e) to (g) and deleting “; and” and substituting a full stop;
 - (b) by inserting new paragraphs (e) and (f) as follows—
 - “(e) in the case of the Primary Centre Waterfront Village Zone—the provisions of the Development Policy Plan (Waterfront Village Sector) and any other Policy adopted under clause 8.9 which applies to the Primary Centre Waterfront Village Zone;
 - (f) in the case of the Primary Centre Urban Village Zone—the provisions of the Development Policy Plan (Waterfront Village Sector) and any other Policy adopted under clause 8.9 which applies to the Primary Centre Urban Village Zone; and”.
6. Amending Clause 4.3.4—
 - (a) by renumbering paragraphs (f), (g), (h) and (i) to (a), (b), (c) and (d) respectively;
 - (b) by inserting new paragraphs (e) and (f) as follows—
 - “(e) in the case of the Primary Centre Waterfront Village Zone—the provisions of the Development Policy Plan (Waterfront Village Sector) and any other Policy adopted under clause 8.9 which applies to the Primary Centre Waterfront Village Zone;”;
 - (f) in the case of the Primary Centre Urban Village Zone—the provisions of the Development Policy Plan (Smart Village South Sector) and any other Policy adopted under clause 8.9 which applies to the Primary Centre Urban Village Zone; and”;
 - (c) renumbering paragraph (j) to (g).
7. Amending Clause 4.3.5—
 - (a) in paragraph (a) of subclause (5) by deleting “subclause (5)(a) or subclause (7)” and inserting instead “subclause (4)(a) or subclause (6)”;
 - (b) in paragraph (b) of subclause (5) by deleting “subclause (5)(b) or subclause (7)” and inserting instead “subclause (4)(b) or subclause (6)”;
 - (c) in subclause (6) by deleting “subclause (5)” and inserting instead “subclause (4).
8. Inserting new clauses 4.3B and 4.3C immediately after clause 4.3A as follows—

“4.3B Primary Centre Waterfront Village Zone

4.3B.1 Objectives of the Zone

The objectives of the Primary Centre Waterfront Village Zone are—

- (a) to promote contemporary waterfront residential and accommodation, commercial, tourism and recreational activities, which serves local residents and visitors alike, in accordance the Development Policy Plan for the Waterfront Village Sector;
- (b) to maximise the potential of the northerly coastal aspect, sheltered beach and shady parkland of the Waterfront through appropriate quality built form and site responsive architecture;
- (c) to achieve appropriate land use and built form outcomes, including a range of medium to high density housing, within a walkable catchment of the central public transit system;
- (d) to create a permeable, well connected network of public streets and spaces that provides legible and high amenity linkages, particularly for pedestrians;
- (e) to provide contiguous, activated street front development;
- (f) to promote active day and night time retail and social environments;
- (g) to encourage vibrant and diverse uses which promote the Waterfront as a destination;
- (h) to provide a high amenity, street based transit route that will provide a high calibre model of sustainable, transit oriented development; and

- (i) to provide high quality public spaces that permits a range of recreation and social activities and foster high quality development along their margins.

4.3B.2 Residential Design Codes

- (a) Where residential development is proposed the R-AC0 density code of Residential Design Codes is to apply.
- (b) In order to encourage residential development within the Primary Centre Waterfront Village Zone, consistent with the urban design objectives for individual Precincts set out in the Policy or other adopted Policies, the Council may exercise its discretion in respect of the Residential Design Codes provisions.

4.3B.3 Minimum Residential Density

In the Primary Centre Waterfront Village Zone, all development for the purpose of grouped or multiple dwellings must have a minimum of one dwelling per 180m² of land area.

4.3C Primary Centre Urban Village Zone

4.3C.1 Objectives of the Zone

The objectives of the Primary Centre Urban Village Zone are—

- (a) to contribute to the development of integrated retail, office, commercial, residential, civic and community facilities generally in accordance with the requirements of the Development Policy Plan for the Smart Village Sector;
- (b) to achieve high intensity land use and built form outcomes, including a range of medium to high density housing, within a walkable catchment of the central public transit system;
- (c) to create a permeable, well connected network of public streets and spaces that provides legible and high amenity linkages, particularly for pedestrians;
- (d) to locate car parking areas behind street front buildings;
- (e) to provide contiguous, activated street front development;
- (f) to promote active day and night time retail and social environments;
- (g) to encourage vibrant and diverse uses which promote the Primary Centre Urban Village Zone as a destination;
- (h) to provide a high amenity, street based transit route through the core of the Primary Centre Urban Village Zone;
- (i) to encourage development that will provide a high calibre model of sustainable, transit oriented development; and
- (j) to provide high quality public spaces that permits a range of recreation and social activities and foster high quality development along their margins.

4.3C.2 Residential Design Codes

- (a) Where residential development is proposed the R-AC0 density code of Residential Design Codes is to apply.
- (b) In order to encourage residential development within the Primary Centre Urban Village Zone, consistent with the urban design objectives for individual Precincts set out in the Policy or other adopted Policies, the Council may exercise its discretion in respect of the Residential Design Codes provisions.

4.3C.3 Minimum Residential Density

In the Primary Centre Waterfront Village Zone, all development for the purpose of grouped or multiple dwellings must have a minimum of one dwelling per 180m² of land area.”

9. Deleting Clause 4.4.

10. Amending Clause 4.15.1—

- (a) in clause 4.15.1.1 by inserting “Primary Centre Urban Village” immediately before “or the District”;
- (b) in clause 4.15.1.2 by inserting “Primary Centre” immediately before “Waterfront Village”;
- (c) in clause 4.15.1.3 by inserting “Primary Centre Urban Village or Primary Centre” immediately before “Waterfront Village Zone”;
- (d) in clause 4.15.1.4(a) by inserting “Primary Centre Urban Village or Primary Centre” immediately before “Waterfront Village Zone”;
- (e) in clause 4.15.1.4(b) by inserting “Primary Centre Urban Village” immediately before “or the District”; and
- (f) in clause 4.15.1.4(c) by inserting “Primary Centre” immediately before “Waterfront Village Zone”.

11. Amending Clause 4.15.2—

- (a) in the heading by inserting “Primary Centre” immediately before “Waterfront Village Zone”.
- (b) in clause 4.15.2.1 by inserting “Primary Centre” immediately before “Waterfront Village Zone”.

- (c) in clause 4.15.2.1(b) by deleting “10% of the minimum number must be provided in the form of cash-in-lieu payment to the Council” and inserting instead “the visitor allocation as per the Residential Design Codes must be provided in the form of cash-in-lieu payment to the Council”.
12. Amending Clause 4.15.6.1(1) by inserting “Primary Centre” immediately before “Waterfront Village Zone”.
13. Deleting Clause 4.15.6.2 and inserting the following new clause instead—
- “4.15.6.2 (1) This clause applies to development in the Primary Centre Waterfront Village Zone.
- (2) In this clause—
- (a) “Area A” means the land shown as “Area A” on Plan No. 8; and
- (b) “Area B” means the land shown as “Area B” on Plan No. 8.
- (3) In the case of development on land within Area A—the cash-in-lieu payment shall not be less than the estimated cost to the owner or developer of providing and constructing the parking bays in the form of a decked structure (including full civil works, lighting, signage, line marking and landscaping), for that area of land which would have been occupied by the parking spaces and manoeuvring area as estimated by a qualified civil engineer approved by the Council.
- (4) In the case of development on land within Area B—the cash-in-lieu payment shall not be less than the estimated cost of the owner or developer of providing and constructing the parking bays in the form of on-street parking bays (including full civil works, lighting, signage, line marking and landscaping), for that area of land which would have been occupied by the parking spaces and manoeuvring area as estimated by a qualified civil engineer approved by the Council.
- (5) Payments made under subclause (3) shall be paid into a parking fund to be used for the provision of public car parking facilities within Area A of the Primary Centre Waterfront Village Zone.
- (6) Payments made under subclause (4) shall be paid into a parking fund to be used for the provision of public car parking facilities within Area B of the Primary Centre Waterfront Village Zone.
- (7) All costs incurred in obtaining the estimate shall be borne by the developer proposing the development.”
14. Amending Table No. 3 by inserting “, Primary Centre Urban Village” immediately before “& District”.
15. Amending Table No. 4 by inserting “Primary Centre” immediately before “Waterfront Village Zone”.
16. Amending Schedule No. 1 by—
- (a) deleting the definition “Waterfront Village Policy” and inserting instead—
- “Development Policy Plan (Waterfront Village Sector): means the Policy entitled “Development Policy Plan (Waterfront Village Sector)” as amended from time to time”.
- (b) inserting—
- “Development Policy Plan (Smart Village South Sector): means the Policy entitled “Development Policy Plan (Smart Village South Sector)” as amended from time to time”.
17. Amending Schedule No. 2 by deleting Additional Use No. 7 in relation to Lot 959 Ray Street, Rockingham.
18. Amending Schedule No. 6 by inserting “Primary Centre Urban Village, Primary Centre” immediately before “Waterfront Village” where those words appear in the second column.
19. Immediately after Plan No. 7 inserting a new plan entitled “Plan No. 8 Car Parking Areas for Primary Centre Waterfront Village Zone (Under Clause 4.15.6.2)”.
20. Amending the Scheme Maps—
- (a) by rezoning certain land within the Waterfront Village Zone, the Residential R20 Zone, the Residential R30 Zone, the Residential R40 Zone, the Community Purpose Zone, the Special Commercial Zone and the Service Commercial Zone to the Primary Centre Waterfront Village Zone as shown on the amended Scheme Maps;
- (b) by rezoning certain land within the Community Purposes Zone to Primary Centre Urban Village Zone as shown on the Amended Scheme Maps;
- (c) by amending the broken black line around the “Primary Centre” in accordance with the amended Scheme Maps;
- (d) by deleting the notation “A7” on Lot 959 Ray Street Rockingham in accordance with the amended Scheme Maps; and
- (e) by modifying the legend to the Scheme Maps as shown on the amended Scheme Maps.

PL405*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
City of Bayswater
 Town Planning Scheme No. 24—Amendment No. 36

Ref: TPS/0542

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the City of Bayswater local planning scheme amendment on 12 September 2012 for the purpose of—

1. Inserting a new Special Control Area No.10 under Appendix 10 of the Scheme—

SPECIAL CONTROL AREA NO. 10

Corner of Tonkin Highway and Railway Parade, Bayswater.

Site Particulars—

Lot 10, No 2-4 Railway Parade, Bayswater

Description—

SCA No. 10 is bound by Tonkin Highway to the west, Railway Parade to the south, Vincent Street and the rear boundaries of Lots 55, 59, 60, 61, 102, 103, 104, 301 and 302 Clune Street to the east.

Provisions**Purpose—**

To facilitate the redevelopment of the former Cresco Fertiliser site into a quality industrial/commercial estate, guiding development form and land use in a manner which articulates a high level of amenity whilst taking into account the environmental characteristics of the land and its proximity to major transport corridors.

The site is divided into 3 precincts which are described as—

Precinct A—To incorporate a strong commercial street character, creating a local identity. It is to comprise higher order commercial land uses including Office which will take advantage of the Precinct's proximity to the Ashfield Train Station and its exposure to Railway Parade.

Precinct B—To comprise industrial land uses (except those which are considered undesirable for reasons of noise, odour or atmospheric emissions).

Precinct C—To comprise industrial land uses, where site development will need to meet mandatory landscaping and drainage infiltration requirements. All stormwater runoff will be collected and shall not be permitted to soak into the ground at source due to existing residual cinders located in the south western part of the site.

Section 70A notifications will be placed on Titles of lots located within Precincts A, B and C to ensure landowners are aware of the environmental constraints of the site and the applicable design guidelines.

Development Precincts

Indicative Development Precincts—Plan included in amending documents

Land Uses—

Notwithstanding uses listed within Table No. 1—Zoning Table of the Scheme, the following uses shall prevail within SCA No.10:

Permitted Uses:

Precinct A

- Convenience Store
- Consulting Rooms (Medical)
- Car Park
- Car Wash
- Dry Cleaning/Laundry Premises
- Kiosk
- Lunch Bar
- Health Studio
- Medical Centre
- Office
- Public Utility**
- Restaurant
- Service Industry
- Veterinary Consulting Rooms

Precincts B and C

- Automotive Repairs
- Car Park
- Car Wash
- Dry Cleaning/Laundry Premises
- Factory
- Factory Tenement Building
- Garden Centre
- General Industry
- Kiosk
- Light Industry
- Lunch Bar
- Public Utility**
- Service Industry
- Trade Display
- Transport Depot
- Veterinary Consulting Rooms
- Warehouse

Discretionary Uses:	
<p>Precinct A</p> <ul style="list-style-type: none"> • Amusement Parlour • Betting Agency • Cinema/Theatre • Civic Buildings • Club Premises • Corner Store • Educational Establishment • Fast Food Outlet • Funeral Parlour • Garden Centre • Hire Service (Non-Industrial) • Infant Health Clinic • Occasional Uses • Public Amusement • Radio Equipment • Recreation Facility (Private & Public) • Shop* • Tavern • Veterinary Hospital 	<p>Precincts B and C</p> <ul style="list-style-type: none"> • Automotive & Marine Sales & Repairs • Fast Food Outlet • Funeral Parlour • Hire Service (Industrial) • Industry • Office • Open Air Display • Radio and Television Installations • Showroom • Showroom/Warehouse • Storage Yard

* The Gross Leasable Area (GLA) floor space for a 'Shop' use shall be limited to 500m² per tenancy within Precinct A, and a cumulative floor space of no greater than 1500m² Net Lettable Area (NLA) for the whole of Precinct A.

** Land use includes compensating basins which are subject to Water Corporation's agreed specifications.

Uses Not Permitted:	Uses Not Permitted unless by giving Special Notice ('A' Use):
<p>Precincts A, B and C</p> <ul style="list-style-type: none"> • Automotive Wrecking • Builders Yard • Extractive Industry • Fuel Depot • Noxious Industry 	<p>Precincts A, B and C</p> <ul style="list-style-type: none"> • Service Station

Development Requirements:

Building Setbacks:

Precinct A

- Primary Street: Buildings to have a nil setback.
- Secondary Streets: Buildings fronting onto Railway Parade and Vincent Street to have a nil setback from the lot boundary. Any variation to this requirement will be considered on a case-by-case basis.
- Car parking bays shall not be permitted in front of the primary street building line.
- The building line of any level above three (3) storeys is required to be setback a minimum of 5 metres from the street boundary.
- Side: Building mass to the side setbacks shall comply with the Building Code of Australia.
- Rear: A minimum setback of 13.5 metres to the rear is required to accommodate rear car parking and landscaping.

Precincts B and C

- Primary Street: Buildings to be setback a minimum of 3.0m.
- Secondary Street: Building mass to be set back a minimum of 3.0m.
- A nil setback to side and rear boundaries shall be permitted, in accordance with the Building Code of Australia.

Building Height—

Precinct A:

- Height of a building shall not exceed five (5) storeys.

Precincts B and C:

- Height of a building shall not exceed three (3) storeys.

For the purposes of calculating building height, a storey shall not include (a) a basement or a semi-basement that does not protrude any further than 1.5 metres above ground level, and (b) any roof plant structures.

Plot Ratio (Precincts A, B and C)—

- Plot ratio requirements of the Scheme are not applicable.

Site Coverage (Precincts A, B and C)—

- 60% maximum site coverage.
-

Landscaping—**Precinct A**

- A minimum of 2% of the total area is to be allocated for landscaping purposes.

Precinct B

- A minimum of 5% of the total lot area is to be allocated for landscaping purposes, which includes a minimum 2.0m wide landscaping strip provided along the street frontage and a minimum 1.5m landscaping strip to be provided along each side boundary between the building line and primary street boundary.

Precinct C

- Localised stormwater disposal via soakage shall not occur within this precinct. Lot connection pits will be provided to discharge all runoff to the road drainage network.
- Soakwells are not permitted.
- No planting other than non-irrigated trees shall occur. Areas not used for carparking are to be treated with gravel or an alternative impermeable hard or paved surface.
- Groundwater extraction is prohibited.

Fencing (Precincts A, B and C)—

No fencing is permitted between the street and the building line.

Built Form—**Precinct A**

- Buildings shall include an awning overhanging the footpath with a minimum height above ground level of 3.0m and minimum width of 2.0m.
- Feature elements are required, including variations to colours and building materials.
- Buildings fronting onto two streets are to exhibit a consistent quality of treatment for each street facade. The inclusion of unique architectural features are encouraged.
- Building design to reflect the use of the building.
- A predominant use of glass is to be used along the frontage of Railway Parade and Vincent Street at ground level.
- Large areas of prefabricated concrete panels for external wall systems, i.e. 'tilt-up' will not be accepted unless detailed with expressed joints with a rendered and painted finish, or clad to the satisfaction of the City of Bayswater.
- Building form shall use architectural features to establish visually distinct pedestrian access points. This includes the provision of legible pedestrian access points from the rear car parking areas to the rear entrance points of the building and distinctive entry doors and canopies to the street elevations.
- Buildings shall address the rear parking area ensuring a sense of casual surveillance, and shall provide well lit and clearly visible pedestrian entries to all buildings.

Precinct B

- The buildings shall be designed to address the street, providing a well articulated administration/office area at the front of the main building which will contribute to the streetscape.
- The main entrance is to be on the front elevation or close to the front of the building, being clearly visible from the street.
- The primary street facade shall avoid large unbroken expanses of wall.
- Ancillary structures or additions to the original development shall integrate similar design attributes originally utilised on the main structure including colour, form and materials.
- Building frontages are to be designed to promote surveillance of the street and/or public open space.

Access (Precincts A, B and C)—

- Loading areas shall not interfere with on-site parking and manoeuvring.
- The site layout shall enable vehicles to exit the site in a forward motion.

Car Parking (Precincts A, B and C)—

- The car park area is to consist of a sealed finish such as asphalt, paving material or concrete.
 - Trees are to be planted within uncovered car parking areas at the rate of 1 per 6 car parking spaces. There are to be no more than 6 adjoining car bays without the area being punctuated by a tree.
-

Water and Energy Management (Precincts A, B and C)—

- Buildings are to use water sensitive design strategies to manage stormwater and wastewater.
- Energy efficiency for building design to be in accordance with Council's local planning policy on the matter.

2. Amending the Scheme Map by including 'SCA No. 10' over the site.

T. G. KENYON, JP, Mayor.
F. LEFANTE, Chief Executive Officer.

PREMIER AND CABINET

PR401*

INTERPRETATION ACT 1984**MINISTERIAL ACTING ARRANGEMENTS**

It is hereby notified for public information that the Governor in accordance with Section 52(1)(b) of the Interpretation Act 1984 has approved the following temporary appointment—

Hon T. R. Buswell MLA to act temporarily in the office of Minister for Health; Tourism in the absence of the Hon Dr K. D. Hames MLA for the period 29 September to 13 October 2012 (both dates inclusive).

P. CONRAN, Director General,
Department of the Premier and Cabinet.

DECEASED ESTATES

ZX401

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

In the matter of the Estate of James Gallagher (aka Jim Gallagher) late of 18 Kristiansen Court, Greenwood, in the State of Western Australia, Business Proprietor, 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 3 March 2012, are required by the Administrator of care of Talbot Olivier, Level 8, Wesfarmers House, 40 The Esplanade, Perth in the said State to send the particulars of their claims to Talbot Olivier by 5 November 2012, after which date the Administrator may convey or distribute the assets, having regard only to the claims of which he then has notice.

ZX402

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

Notice to Creditors and Claimants and other persons having claims (to which Section 63 of the *Trustees Act 1962* relates), in respect of the Estate of Mary Belle Lewis who died on 19 May 2012, are required by the Administrator and Trustee, David James Kirchner of 3/94 Hay Street appointed pursuant to Letters of Administration with the Will annexed dated 18 September 2012 to send to Templar Legal Pty Ltd of PO Box 8243 Subiaco, particulars of such claims within 30 days of this notice. After such date, the Administrator and Trustee may convey or distribute the assets of the above mentioned Estate, having regard only to the claims of which the Trustee then has notice.

ZX403***TRUSTEES ACT 1962****DECEASED ESTATES**

Notice to Creditors and Claimants

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962* relates) in respect of the Estates of the undermentioned deceased persons are required to send particulars of their claims to me, on or before 28/10/2012 after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Bailey, John Leslie, late of Brightwater The Cove Care Facility 35 Hudson Drive, Dudley Park, died 30.03.2012 (DE19691260 EM38)

Bennison, June Marie, late of St, Vincent's Nursing Home, 224 Swan Street, Guildford, died 21.08.2012 (DE19892468 EM16)

Binnington, Raynor William, late of Orange Grove, Nursing Home, 185 Maddington Road, Maddington, died 14.07.2012 (DE19983299 EM17)

Burroughs, Kathleen Mary, late of 508/1 Jeanes Road, Karrinyup, died 26.08.2012 (DE33068027 EM23)

Cumper, William Arthur, late of 78 Vivian Street, Grass Valley, died 01.08.2012 (DE19950338 EM38)

Geppa, Gaetano, late of Hellenic Community Aged Care 2 Hellenic Drive, Dianella, died 11.08.2012 (DE30284958 EM17)

Godfrey, James Joseph, late of Craigmont Nursing Home, 30 Third Avenue, Maylands, died 29.08.2012 (DE19810221 EM36)

Gray, Loretta Claire, late of Annesley Nursing Home, 147 Hillview Terrace Bentley, died 1.07.2012 (DE33042068 EM17)

Green, Warren Desmond, late of 76b Ardross Street, Applecross, died 26.08.2012 (DE19761053 EM13)

Grim, Catharina Elisabeth, late of James Brown Hose Unit 40/171 Albert Street, Osborne Park, died 13.08.2012 (DE19672436 EM26)

Lewis, Stanley Wilfred, late of McMahon Caring Centre, 72 Lissiman Street, Gosnells, died 4.08.2012 (DE19843167 EM37)

Lunungal, Gladys, Also Known As Gladys Nanangal, late of Halls Creek Peoples Church Aged Care 440 Neighbour Street, Halls Creek, died 09.07.2012 (DE33100830 EM37)

Patience, Geoffrey Hamelyn, late of Osboine Contemporary Aged Care 39 Newton Street, Bayswater, died 06.08.2012 (DE19640052 EM17)

Perks, Stephen Eric, late of Tuohy Nursing Home, 22 Morrison Road, Midland, died 07.09.2012 (DE33036826 EM24)

Radcliffe, Dorothy, late of 32 Stirling Aged Care Spencer Street, Yokine, died 19.08.2012 (DE19952745 EM110)

Scott, Herbert Ronald, late of Grandview Aged Care 21 Aldwych Way, Joondalup, died 13.06.2012 (DE19916109 EM17)

BRIAN, ROCHE, Public Trustee,
553 Hay Street, Perth WA 6000.

Telephone:1300 746 212

ZX404***PUBLIC TRUSTEE ACT 1941****ADMINISTERING OF ESTATES**

Notice is hereby given that pursuant to Section 14 of the *Public Trustee Act 1941* and amendments the Public Trustee has elected to administer the estates of the undermentioned deceased persons.

Dated at Perth 28 September 2012.

BRIAN ROCHE, Public Trustee.
553 Hay Street
Perth WA 6000.

Telephone: 1300 746 212

Name of Deceased	Address	Date of Death	Date Election Filed
Merle June Hansen DE19811294EM32	3-5 Vernon Street Collie	19 June 2012	24 September 2012
Robert Keith Horwell DE19920083EM15	12/10 Warwick St Wagin	22 July 2012	24 September 2012