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— PART 1 —

CONSUMER PROTECTION

CP301*

RETAIL TRADING HOURS ACT 1987
RETAIL TRADING HOURS (CITY OF ALBANY)
VARIATION ORDER (NO. 5) 2013

Made by the Minister for Commerce under section 12E of the Act.

1. Citation

This order is the *Retail Trading Hours (City of Albany) Variation Order (No. 5) 2013*.

2. Commencement

This order comes into operation as follows—

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

3. Variation of retail trading hours

General retail shops in the Albany local government district are authorised to be open at times when the shops would otherwise be required to be closed—

- (a) on each day specified in the Table; and
- (b) during the hours specified for that day in the Table.

Table

Day	Hours
Thursday 25 April 2013	From 12.00noon until 5.00pm
Friday 26 April 2013	From 6.00pm until 9.00pm

SIMON O'BRIEN, Minister for Commerce.

— PART 2 —

CONSUMER PROTECTION

CP401*

SUNDAY ENTERTAINMENTS ACT 1979**GOOD FRIDAY ENTERTAINMENT**

I, Simon O'Brien, Minister for Commerce, acting pursuant to Section 3(2)(b) of the *Sunday Entertainments Act 1979*, do hereby permit Mr Mitchell Ross, Proprietor, Mitro Pty Ltd, to conduct the Rockingham Easter Carnival, at the Dixon Road Reserve, Dixon Road Rockingham, from 12.00 noon to 10.00pm on Good Friday, 29 March 2013.

SIMON O'BRIEN MLC, Minister for Commerce.

MARINE/MARITIME

MA401*

WESTERN AUSTRALIAN MARINE ACT 1982**NAVIGABLE WATERS REGULATIONS 1958****SWIMMING PROHIBITED AREA**

Princess Royal Harbour
Albany

Department of Transport,
Fremantle WA, 26 February 2013..

Acting pursuant to Regulation 10A (b) of the *Navigable Waters Regulations 1958*, the department hereby prohibits swimming within the following area from Wednesday 27th March to Tuesday 2nd April 2013 inclusive—

All the waters of Princess Royal Harbour extending approximately 50 metres from the foreshore in front of the Albany Entertainment Centre bounded by the rock wall on the western side of Toll Place and the rock wall immediately south of the ANZAC Peace Park Wall.

The closure area will be delineated by two (2) unlit, yellow marker buoys, approximately one (1) metre in height.

This area is set aside for "Sculpture in the Harbour".

RAYMOND BUCHHOLZ, Marine Safety Operations Director,
Department of Transport.

PLANNING

PL401*

PLANNING AND DEVELOPMENT ACT 2005**APPROVED LOCAL PLANNING SCHEME AMENDMENT**

City of Perth

City Planning Scheme No. 2—Amendment No. 24

Ref: TPS/0816

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 Perth local planning scheme amendment on 19 February 2013 for the purpose of—

1. Amending the Building Heights Plan by deleting the reference to the building height ratio being 0.5:1 along the street frontage plus additional height contained within a 45 degree

angle height plane, within the portion of the Hamilton Precinct which is wholly contained within the City of Perth, and replace with—

‘Refer to the Hamilton Precinct P11’.

2. Amending the Plot Ratio Plan by deleting reference to the plot ratio being 1.0:1 for the portion of the Hamilton Precinct which is wholly contained within the City of Perth, and replace with—

‘3.0:1.0—(Maximum 2.0:1.0 for use groups other than Residential or Special Residential)’.
3. Amending the Scheme Map by reclassifying the portion of the Hamilton Precinct which is wholly contained within the City of Perth, from the ‘Commercial’ Scheme Use Area to the following—

‘Residential/Commercial’ Scheme Use Area’.
4. Amending the Schedule 1: Scheme Use Areas to include P11 Hamilton into the ‘Residential/Commercial’ Scheme Use Area and delete its reference in the ‘Commercial’ Scheme Use Area.
5. Amending Schedule 3: Use Group Table for P11 Hamilton, by modifying the use classifications to reflect the intent of the ‘Residential/Commercial’ Scheme Use Area and land use objectives for the precinct as outlined below—

P11 HAMILTON

Use Group	Use Symbol
Business Services	P
Civic	C
Community and Cultural	P
Dining	P
Education 1	C
Education 2	C
Entertainment	C
Healthcare 1	P
Healthcare 2	C
Home Occupation	P
Industry—Light	X
Industry—Service	C
Industry—Cottage	C
Mixed Commercial	C
Office	P
Recreation and Leisure	P
Residential	P
Retail (Central)	X
Retail (General)	C
Retail (Local)	P
Special Residential	P
Storage	C

NOTE—

Some land in this Precinct is reserved under the Metropolitan Region Scheme (MRS)—refer to clause 13 of the Scheme text and relevant precinct plan for further information.

Proposed Special Control Area

6. Inserting after Clause 57A (1) (o)—
 - (p) Hamilton Special Control Area
7. Inserting the following in Schedule 9 Special Control Areas—
 16. Hamilton Special Control Area
 - 16.1 Special Control Area

The following provisions apply to the land marked as Figure 16: Hamilton Special Control Area—
 - 16.2 Objectives

The objectives of the Hamilton Special Control Area are to—

 - (a) ensure development of the land within the Special Control Area occurs in a co-ordinated and integrated manner;
 - (b) encourage Residential and Special Residential development, within close proximity to the City West train station;
 - (c) facilitate the provision of public infrastructure and facilities comprising a new road, pedestrian/vehicular link, central plaza and a public park within the Special Control Area, as outlined in Figure 16;

- (d) increase pedestrian and cyclist linkages and accessibility, throughout the Hamilton Precinct;
- (e) ensure the orderly provision and distribution of commercial tenant parking facilities;
- (f) strengthen the visual connectivity from the existing train station along Plaistowe Mews; and
- (g) encourage the retention of uses that serve as major visitor attractors to the Hamilton Precinct.

16.3 Plot Ratio

For the purpose of determining the plot ratio within the Special Control Area, the site shall be treated as two separate areas—

- Area A—incorporating Lot 200 Railway Street, West Perth and bounded by Plaistowe Mews to the west, Railway Street to the south, and Sutherland Street to the east and to the north.
- Area B—incorporating Lot 301 Railway Street, West Perth and bounded by Plaistowe Mews to the east, Railway Street to the south, and Troode Street to the north.

The maximum plot ratios for Area A and Area B within the Special Control Area shall be as outlined in Table 1 below—

Table 1

Special Control Area (comprising Area A & Area B)	Maximum Plot Ratio
Without the provision of Public infrastructure/ facilities	3.0:1.0 (maximum 2.0:1.0 for use groups other than Residential or Special Residential)
Subject to the provision of public infrastructure/ facilities in accordance with clause 16.3	4.5:1.0 (maximum 3.0:1.0 for use groups other than Residential or Special Residential)

The maximum plot ratios outlined in Table 1 shall be calculated on the site areas of Area A and Area B, prior to the subdivision and ceding of any land for public infrastructure or facilities to the City of Perth.

Where the total development on either Area A or Area B exceeds a plot ratio of 3.0:1.0 (or 2.0:1.0 for use groups other than Residential or Special Residential) outlined in Table 1, all of the public infrastructure/facilities outlined in Figure 16, as well as a specific facility on private land (currently known as Scitech), shall be provided as part of a co-ordinated and integrated development by the owner(s) and/or developers of the land affected by the Special Control Area whereby—

- (a) the portions of land within Area B identified for the purposes of—
 - (i) a new public road (north/south) including at least one footpath, with minimum dimensions of 140m x 20m = 2,800m², connecting Railway Street and Troode Street, West Perth; and
 - (ii) a new vehicular/pedestrian east-west link, with minimum dimensions of 95m x 13m = 1,250m², situated between the new road and Plaistowe Mews, to the north of the new public park;

shall be ceded free of cost and transferred to the City of Perth, without payment of any compensation, and with all costs being met by the owner(s) and/or developers of the land affected by the Special Control Area.

- (b) the portion of land within Area B identified for the purposes of the creation of a public park situated on the western side of Plaistowe Mews, comprising a minimum 2,000m² in area, with a minimum dimension of 30 metres, which incorporates both high quality hard and soft landscaping, as well as active edges, to be ceded to the City of Perth free of cost. The original owner(s) and their assigns may lease back the land at the rental of one dollar per annum on demand for a period of up to 10 years or other period as mutually agreed. During this time the park shall be open to the general public at all times with the lessee accepting all public liability resulting from the use of this land.
- (c) the portion of land within Area A identified for the purposes of a central open air public plaza on the eastern side of Plaistowe Mews (comprising a minimum 600m² in area) is to form an integral component of any major redevelopment of Area A. This element shall be open to the general public at all times.
- (d) the existing Scitech facility (or similar facility) shall be provided within the Special Control Area with a minimum plot ratio floor area of 7,500m² (excluding any associated parking facility).

A change of use of the Scitech facility (or a similar facility) shall only be permitted if the proposed change is to an appropriate use listed within the 'Educational 2' or 'Community and Cultural' Use Groups, and has strong links to the community. All other uses are prohibited.

The public infrastructure/facilities and specific facility identified in (a), (b), (c) and (d) above, shall be installed and/or completed prior to the occupancy of any new development, whereby the total plot ratio in Area A and/or Area B exceeds 3.0:1 (or 2.0:1 for use groups other than Residential or Special Residential use). The Council may consider allowing the new development to be occupied prior to the completion of the public infrastructure/facilities, subject to the developer providing a detailed staging strategy and committing to the timely delivery of the public infrastructure/facilities by entering into a legally binding agreement with the City of Perth.

16.4 Car Parking

For the purpose of determining the commercial tenant parking allowance and provision for any development within the Special Control Area under the City Planning Scheme No. 2: Perth Parking Policy No. 5.3, the site shall be treated as two separate areas—

- Area A—incorporating Lot 200 Railway Street, West Perth and bounded by Plaistowe Mews to the west, Railway Street to the south, and Sutherland Street to the east and to the north.
- Area B—incorporating Lot 301 Railway Street, West Perth and bounded by Plaistowe Mews to the east, Railway Street to the south, and Troode Street to the north.

8. Inserting Figure 16 relating to Hamilton Special Control Area into Schedule 9—Special Control Areas.
9. Amending the Scheme Map, Building Height Plan, and the Plot Ratio Plan accordingly.

L. M. SCAFFIDI, Lord Mayor.
G. STEVENSON, Chief Executive Officer.

PL402*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
City of Perth
City Planning Scheme No. 2—Amendment No. 25

Ref: TPS/0900

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 Perth local planning scheme amendment on 19 February 2013 for the purpose of—

1. Deleting the Plot Ratio Plan and inserting a new Plot Ratio Plan.
2. Inserting a new Maximum Bonus Plot Ratio Plan.
3. Inserting a new Public Facilities Bonus Plot Ratio Plan.
4. Inserting a new Heritage Bonus Plot Ratio Plan.
5. Inserting a new Residential Bonus Plot Ratio Plan.
6. Inserting a new Special Residential Bonus Plot Ratio Plan.
7. Amending Clause 3(1)—Scheme Documents to delete “and” after subclause (c) and insert the following after subclause (d)—
 - (e) the Maximum Bonus Plot Ratio Plan;
 - (f) the Public Facilities Bonus Plot Ratio Plan;
 - (g) the Heritage Bonus Plot Ratio Plan;
 - (h) the Residential Bonus Plot Ratio Plan; and
 - (i) the Special Residential Bonus Plot Ratio Plan.
8. Amending Clause 6(3)(b)—Objectives and Intentions to insert the words “visitor accommodation and attractions” in between the words “leisure” and “transport and access opportunities”.
9. Amending Clause 16(2)—Types of Uses to delete the words “a prohibited use (unless the prohibited use is an additional use).” and insert the following two new subclauses after “except”—
 - (a) a prohibited use (unless the prohibited use is an additional use); and
 - (b) a change of use which is prohibited by clause 46A.
10. Amending Clause 27—Plot Ratio to delete the words “is to comply with the plot ratios” and insert the words “shall not exceed the maximum plot ratios” in subclause (1) and insert a new subclause (2) as follows—
 - (1) Unless otherwise provided in this Scheme, the plot ratio of development shall not exceed the maximum plot ratios specified in the Plot Ratio Plan.

- (2) Notwithstanding subclause (1), the achievement of the maximum plot ratios specified on the Plot Ratio Plan shall be dependent upon the built form objectives of the Scheme also being achieved.
11. Deleting Clause 28—Bonus Plot Ratio and inserting a new Clause 28—Bonus Plot Ratio as follows—
- (1) Subject to this clause and clause 47, the Council may permit, by way of the grant of planning approval, an increase in the maximum plot ratio for development (in this clause referred to as 'bonus plot ratio') up to the maximum specified by the Maximum Bonus Plot Ratio Plan. Bonus Plot ratio may be comprised of one or more of the individual bonus plot ratio categories listed in subclause (2).
- [Margin note: The expressions 'maximum plot ratio' and 'maximum bonus plot ratio' are defined in Schedule 4.]
- (2) The Council may permit a bonus plot ratio of—
- (a) up to a maximum of 20% per lot where in the opinion of the Council the development would—
- (i) result in the conservation of a place on the lot which under clause 30 has been declared by the Council to be significant and worthy of conservation and the development is located within the area shown on the Heritage Bonus Plot Ratio Plan as being eligible for heritage bonus plot ratio; and/or
- (ii) include a public facility that would make a significant contribution to the amenities of the locality and the development is located within the area shown on the Public Facilities Bonus Plot Ratio Plan as being eligible for public facilities bonus plot ratio;
- [Margin note: Refer to City Planning Scheme No. 2 Policy 4.6.1: Bonus Plot Ratio for information on public facilities.]
- (b) up to a maximum of 20% per lot where the development incorporates new residential use and the development is located within the area shown on the Residential Bonus Plot Ratio Plan as being eligible for residential bonus plot ratio; and
- (c) (i) up to a maximum of 20% per lot where the development incorporates a new special residential use and the development is located within the area shown on the Special Residential Bonus Plot Ratio Plan as being eligible for a maximum of 20% or 40% special residential bonus plot ratio; or
- (ii) up to a maximum of 40% per lot where the development incorporates a new hotel use and in the opinion of the Council the new hotel will provide high quality accommodation in accordance with Planning Policy 4.6.1 Bonus Plot Ratio and the development is located within the area shown on the Special Residential Bonus Plot Ratio Plan as being eligible for a maximum of 40% special residential (hotel) bonus plot ratio.
- (3) The Council may permit a combination of bonus plot ratio under subclause 2(a) and the transfer of unused plot ratio under clause 34 subject to the resulting increased plot ratio for the lot being no more than 20% above the maximum plot ratio.
- (4) Where bonus plot ratio is permitted for development which incorporates—
- (a) a residential use under subclause (2)(b) the floor area of the building derived from the bonus plot ratio shall be used solely for the residential use;
- (b) a special residential use under subclause (2)(c)(i) or 2(c)(ii) the floor area of the building derived from the bonus plot ratio shall be used solely for the special residential use.
- (5) The Council may only permit a bonus plot ratio where in addition to the requirements of this clause and clause 47, the Council is satisfied that the development would not—
- (a) adversely affect the cultural heritage significance of any place declared by the Council under clause 30 or any conservation area; and
- (b) adversely affect the amenity, streetscape or desired character of the precinct in which the development is to be located; and
- (c) have a significant adverse effect on an adjoining property or a property in the general locality.
- (6) Notwithstanding subclause (1) and subject to subclause (5) and clause 47(3)(d), where an existing building has been developed pursuant to a planning approval granted prior to the gazettal date—
- (a) with a floor area which exceeds the current maximum plot ratio specified for the lot on which the building(s) is located by at least 20%; and
- (b) which is unable to receive a transfer of unused plot ratio under clause 34 because of the operation of subclause (3) or clause 47(3)(b)(ii),
- the Council may permit by the grant of planning approval a minor bonus plot ratio—
- (i) for development above street level where such a bonus is sought as part of the refurbishment and/or upgrading of the existing building and the bonus does not result in an increase to the bulk, height or scale of the building; or

- (ii) for development at street level where such a bonus is sought for a public facility or use that promotes pedestrian interest and activity at this level and the additional floor area derived from the bonus plot ratio is not used for office purposes.

[Margin note: Refer to City Planning Scheme No. 2 Planning Policy 4.6.1: Bonus Plot Ratio for information on minor bonus plot ratio.]

- (7) The Council may not permit bonus plot ratio under this clause unless—
 - (a) the relevant application is advertised in accordance with Clause 41; and
 - (b) any submissions duly received in response to that advertising are considered by the Council.
- 12. Amending Clause 40(2)(a)—Design Advisory Committee to delete “an increase in the permitted plot ratio of a site by provision of clause 28” and to insert the words “the Council’s permission under clause 28 for bonus plot ratio” after the word “seeks” as follows—
 - (2) The design advisory committee—
 - (a) is to be consulted where an application seeks the Council’s permission under Clause 28 for bonus plot ratio; and
- 13. Amending Clause 44—Determination of Application for a Preferred Use to insert a new subclause (a), renumber the existing subclause accordingly and insert the word “otherwise” after “cannot” in subclause (b) as follows—
 - (a) shall refuse the application if it involves a change of use prohibited by clause 46A;
 - (b) cannot otherwise refuse the application by reference to the proposal to begin or continue the preferred use; and
 - (c) may impose whatever conditions it considers appropriate in granting approval.
- 14. Inserting a new clause 46A as follows—

46A CHANGE OF USE OF DEVELOPMENT GRANTED BONUS PLOT RATIO

1. Where under this Scheme approval has been granted for a development which incorporates—
 - (a) a residential use with bonus plot ratio permitted under clause 28(2)(b), any subsequent change of use of the residential portion of the development; or
 - (b) a special residential use with bonus plot ratio permitted under clause 28(2)(c), any subsequent change of use of the special residential development or any part of the special residential development, except a change of use incidental to the special residential use;
 is prohibited within 10 years following the date on which that portion of the development is lawfully occupied.
2. Where bonus plot ratio has been granted under clause 28(2)(c)(ii) for a development which incorporates a new hotel which provides high quality accommodation a change of use incidental to the hotel use may only be granted if in the opinion of the Council the hotel will maintain sufficient facilities and amenities to ensure that it will continue to provide high quality accommodation.
3. Where a minor bonus plot ratio has been granted under clause 28(6)(ii) a subsequent change of use of the floor area derived from that bonus plot ratio to office is prohibited.

[Margin note: Refer to City Planning Scheme No. 2 Policy 4.6.1: Bonus Plot Ratio for information on ‘high quality accommodation’ and ‘minor bonus plot ratio’.]

- 15. Amending Clause 47(3)(b)—Determination of Non-Complying Applications to delete subclause (b) and insert a new subclause (b) as follows—
 - (b) in respect of an application for an increase in plot ratio above the specified maximum plot ratio—
 - (i) the application complies with clause 28; or
 - (ii) the application complies with clause 34; and
 - (A) the transfer of unused plot ratio does not result in the plot ratio for the lot which is the subject of the application exceeding the maximum plot ratio for that lot by more than 20%; and
 - (B) where the application involves a transfer of unused plot ratio rights under clause 34 and bonus plot ratio under clause 28(2)(a), it complies with clause 28(3).
- 16. Amending Clause 57(4)—Precinct Plans and Other Scheme Documents to insert new subclauses (f) to (j), replace “town planning scheme” with “local planning scheme” and “section 7” with “Part 5” as follows—

An amendment to—

 - (a) a precinct use area boundary;
 - (b) the Scheme Text;
 - (c) the Scheme Map;
 - (d) the Building Heights Plan;

- (e) the Plot Ratio Plan;
- (f) the Maximum Bonus Plot Ratio Plan;
- (g) the Public Facilities Bonus Plot Ratio Plan;
- (h) the Heritage Bonus Plot Ratio Plan;
- (i) the Residential Bonus Plot Ratio Plan; and
- (j) the Special Residential Bonus Plot Ratio Plan;

can be made only in accordance with the procedures applying to a local planning scheme amendment set out in Part 5 of the Act.

17. Amending Schedule 1 Scheme Use Areas—City Centre Scheme Use Area to delete—
“and is gaining popularity as a residential location for those seeking an urban lifestyle.”
and to insert the following sentence after “it provides”—
“Residential development is strongly encouraged in the central core to create a ‘living city.’”
18. Amending Schedule 1 Scheme Use Areas—Office/Residential Scheme Use Area to insert the words “Special Residential” between the words “Residential” and “Office”.
19. Amending Schedule 1 Scheme Use Areas—Town Centre Scheme Use Area to insert the words “such as Special Residential” after the words “Although some other uses”.
20. Amending the Note under each Scheme Use Area in Schedule 1 Scheme Use Areas to delete the number 6 and to insert the number 3.
21. Amending the description of Special Residential in Schedule 2 Use Group Categories to include the words “serviced apartment” as follows—
“Premises providing short term, temporary or specialised residential accommodation including: lodging house, hotel, serviced apartment.”
22. Amending Schedule 3 Use Group Tables as follows—
P1 Northbridge (CC)—Insert the following new Use Symbols for Residential and Special Residential and the following footnotes—

P1 NORTHBRIDGE (CC)		
Use Group	Use Symbol	
	East of Russell Square	West of Russell Square
Residential	C/X(1)	P/X(2)
Special Residential	P/X(3)	P/X(4)

- (1) Means the use is prohibited where it fronts the street at pedestrian level.
- (2) Means for lots with frontage to Roe Street, Fitzgerald Street or which are located west of Fitzgerald Street the use is prohibited where it fronts the street at pedestrian level.
- (3) Means the use is prohibited where it fronts the street at pedestrian level unless it provides pedestrian interest and activity.
- (4) Means for lots with frontage to Roe Street, Fitzgerald Street or which are located west of Fitzgerald Street the use is prohibited where it fronts the street at pedestrian level unless it provides pedestrian interest and activity.

P3 Stirling (CC)—Insert the following new Use Symbols for Office, Residential and Special Residential and replace the existing footnote (2) with new footnotes (2) and (3)—

P3 STIRLING (CC)	
Use Group	Use Symbol
Office	P
Residential	C/X(2)
Special Residential	P/X(3)

- (2) Means the use is prohibited where it fronts the street at pedestrian level.
- (3) Means the use is prohibited where it fronts the street at pedestrian level unless it provides pedestrian interest and activity.

P4 Victoria (CC)—Insert the following new Use Symbols for Residential and Special Residential and new footnotes (2) and (3)—

P4 VICTORIA (CC)	
Use Group	Use Symbol
Residential	C/X(2)
Special Residential	P/X(3)

- (2) Means the use is prohibited where it fronts the street at pedestrian level.
- (3) Means the use is prohibited where it fronts the street at pedestrian level unless it provides pedestrian interest and activity.

P5 Citiplace (CC)—Insert the following new Use Symbols for Residential and Special Residential and new footnotes (4) and (5)—

P5 CITIPLACE (CC)		
Use Group	Use Symbol	
	King Street Heritage	Rest of Precinct
Residential	C/X(4)	C/X(4)
Special Residential	P/X(5)	P/X(5)

(4) Means the use is prohibited where it fronts the street at pedestrian level.

(5) Means the use is prohibited where it fronts the street at pedestrian level unless it provides pedestrian interest and activity.

P6 St Georges (CC)—Insert the following new Use Symbols for Residential and Special Residential, remove the existing footnote (2) from the Office Use Symbol and replace the existing footnote (2) with the new footnotes (2) and (3)—

P6 ST GEORGES (CC)	
Use Group	Use Symbol
Office	P
Residential	C/X(2)
Special Residential	P/X(3)

(2) Means the use is prohibited where it fronts the street at pedestrian level.

(3) Means the use is prohibited where it fronts the street at pedestrian level unless it provides pedestrian interest and activity.

P7 Civic (CC)—Insert the following new Use Symbols for Residential and Special Residential, remove the existing footnote (3) from the Office Use Symbol and replace the existing footnote (3) with the new footnotes (3) and (4)—

P7 CIVIC (CC)	
Use Group	Use Symbol
Office	P
Residential	C/X(3)
Special Residential	P/X(4)

(3) Means the use is prohibited where it fronts the street at pedestrian level.

(4) Means the use is prohibited where it fronts the street at pedestrian level unless it provides pedestrian interest and activity.

P10 West Perth—Insert the following new Use Symbols for Residential in the Residential/Commercial, Commercial and Town Centre Scheme Use Areas and Special Residential in the Office/Residential, Commercial and Town Centre Scheme Use Areas and new footnotes (3), (4) and (5)—

P10 WEST PERTH					
Use Group	Use Symbol				
	Residential R160	Residential/Commercial	Office/Residential	Commercial	Town Centre
Residential	P	P/C(3)	P	C/X(4)	C/X(4)
Special Residential	C(1)	P	P	P/X(5)	P/X(5)

(3) Means the use is contemplated where it fronts the street at pedestrian level.

(4) Means the use is prohibited where it fronts the street at pedestrian level.

(5) Means the use is prohibited where it fronts the street at pedestrian level unless it provides pedestrian interest and activity.

P13 Adelaide—Insert the following new Use Symbols for Office, Residential and Special Residential in the Office/Residential Scheme Use Area and replace the existing footnote (3) with the new footnotes (3) and (4)—

P13 ADELAIDE		
Use Group	Use Symbol	
	Office/Residential	Residential R160
Office	P	X/C(2)
Residential	P/X(3)	P
Special Residential	P/X(4)	C(1)

(3) Means the use is prohibited where it fronts the street at pedestrian level.

(4) Means the use is prohibited where it fronts the street at pedestrian level unless it provides pedestrian interest and activity.

P14 Goderich—Insert the following new Use Symbols for Office in the Residential/Commercial Scheme Use Area, Residential in the Residential/Commercial and Town Centre Scheme Use Areas and Special Residential in the Town Centre Scheme—

P14 GODERICH			
Use Group	Use Symbol		
	Residential R160	Residential/ Commercial	Town Centre
Office	X	P	C(2)
Residential	P	P/C(4)	C/X(3)
Special Residential	C(1)	P	P/X(5)

(3) Means the use is prohibited where it fronts the street at pedestrian level.

(4) Means the use is contemplated where it fronts the street at pedestrian level.

(5) Means the use is prohibited where it fronts the street at pedestrian level unless it provides pedestrian interest and activity.

23. Deleting the definition of the term “hotel” in Schedule 4 Definitions and inserting a new definition as follows—

“means premises providing short term accommodation the subject of a hotel licence under the *Liquor Control Act 1988*, but does not include a serviced apartment.”

24. Inserting the following new definitions in Schedule 4 Definitions—

Maximum Plot Ratio	“means the maximum plot ratio for development which is specified for a lot or part of a lot by the Plot Ratio Plan.”
Maximum Bonus Plot Ratio	“means the maximum percentage increase in the maximum plot ratio which is specified for a lot or part of a lot by the Maximum Bonus Plot Ratio Plan.”
Serviced Apartment	“means one or more self contained dwellings which are used exclusively to provide short term accommodation, generally for a fee but are not subject to residential tenancy agreements within the meaning of the <i>Residential Tenancies Act 1987</i> , and may be serviced or cleaned by the owner or manager of the apartment (or by the owner’s or manager’s agent) and be provided with a laundry service where the apartment does not contain laundry facilities.”
Short Term Accommodation	“means accommodation that may be occupied for a continuous maximum period of three months within any one 12 month period, and are not subject to residential tenancy agreements (residential leases).”

L. M. SCAFFIDI, Lord Mayor.
G. STEVENSON, Chief Executive Officer.

PL403*

PLANNING AND DEVELOPMENT ACT 2005

RESOLUTION DECIDING TO PREPARE AN IMPROVEMENT SCHEME

Browse Liquified Natural Gas Precinct: Improvement Scheme

Notice is hereby given that the Western Australian Planning Commission on 12 February 2013 passed the following Resolution—

That the WAPC, in pursuance of section 122A and 122B of the *Planning and Development Act 2005 (as amended)*, prepare the above Improvement Scheme with reference to an area situated wholly within the Shire of Broome and enclosed within the inner edge of the black border on a plan now produced to the Western Australian Planning Commission and marked and certified by the Secretary under his hand as the “Improvement Scheme Area map”.

Dated this 20th day of February 2013.

NEIL THOMSON, Secretary,
Western Australian Planning Commission.

PL501*

PLANNING AND DEVELOPMENT ACT 2005
METROPOLITAN REGION SCHEME MAJOR AMENDMENT 1240/41
 South Forrestdale Industrial Precinct
 (South Forrestdale Business Park)

Call for Public Submissions

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

The amendment seeks to transfer approximately 103.8 hectares of Rural zoned land to the Industrial zone in the Metropolitan Region Scheme (MRS), generally bounded by Tonkin Highway to the east and Rowley Road to the south.

Display locations

The plans showing the proposed change and the WAPC's amendment report which explains the proposal, will be available for public inspection, free of charge from Tuesday 18 December 2012 to Friday 22 March 2013 at—

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

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

Submissions

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

Submissions must be lodged with the: Secretary, Western Australian Planning Commission, Locked Bag 2506, Perth WA 6001; on or before 5 pm **Friday 22 March 2013**.

Late submissions will not be considered.

NEIL THOMSON, Secretary,
Western Australian Planning Commission.

POLICE

PO401*

ROAD TRAFFIC ACT 1974
ROAD TRAFFIC CODE 2000
 AUTHORISED PERSONS

Appointed of Accredited Pilots as Authorised Persons

I hereby declare that each person who is an accredited pilot pursuant to Regulation 3 of the *Road Traffic Code 2000* named in the attached lists are 'authorised persons' within the meaning of and in accordance with Regulation 271 of the *Road Traffic Code 2000* for the purposes of regulations 272(1)(a), 272(1)(d), 282(2) and 286 of the *Road Traffic Code 2000*—whilst performing their functions in the facilitating the safe movement of an oversize vehicle escorted by an accredited pilot.

Dated this 18th day of February 2013.

KARL. J. O'CALLAGHAN APM, Commissioner of Police

Surname	First Name	Street	Suburb	State	Post Code	Accredited Number	Provider
D'ERCOLE	MICHAEL	7 MIYAK CT	ANKETELL	WA	6167	05484	WARTA
WATSON	JUANITA	8 JOYNER WAY	ARMADALE	WA	6112	05803	WARTA
BOYD	ROBERT	444 CANNING HIGHWAY	ATTADALE	WA	6156	04963	WARTA
ALLEGRETTO	DAMIANO	8 LYON ROAD	ATWELL	WA	6164	05703	WARTA
POWDRILL	CHRISTOPHER	PO BOX 511	BAKERS HILL	WA	6562	05409	WARTA

Surname	First Name	Street	Suburb	State	Post Code	Accredited Number	Provider
GIMONDO	GIOVANNI	204 CEDRIC STREET	BALCATT	WA	6021	05507	WARTA
GRAY	CAMERON	10 PEELHURST WAY	BALDIVIS	WA	6171	05700	WARTA
FISHER	DION	6 STABLE COURT	BALLAJURA	WA	6066	05262	WARTA
SUMMERS	ANDY	76 CHESTERTON ROAD	BASSENDAN	WA	6054	05797	WARTA
PETERNELJ	WALTER	42 MAY STREET	BAYSWATER	WA	6053	05417	WARTA
LYON	BRENDA HELENE	1 TWISTS ROAD	BURPENGARY	QLD	4505	05727	WARTA
JONES	EMRYS	1 ELOURA ROAD	CAMILLO	WA	6111	05683	WARTA
SHAW	DOUGLAS	24 CONTORTA ROAD	CANNING VALE	WA	6155	03427	WARTA
COCHRANE	GEOFFREY	33 VENN STREET	COLLIE	WA	6225	04997	WARTA
GIBAUD	ROBERT	179 CRAWFORD STREET	EAST CANNINGTON	WA	6107	05678	WARTA
BIRCH	PHILL	7 WISTERIA PARADE	EDGEWATER	WA	6027	05792	WARTA
MCKEOWN	WAYNE	15 KIBBY ROAD	ELIZABETH EAST	SA	5112	05696	WARTA
MORRISON	ROY	PO BOX 383	EUMUNDI	QLD	4562	05725	WARTA
CASHMORE	STEPHEN	4/37 MCILWRAITH STREET	EVERTON PARK	QLD	4053	05732	WARTA
ALLEN	KEVIN	18 GALENA WAY	FERNDAL	WA	6148	05611	WARTA
BLAKENEY	NELVILLE	13 ASHTON CLOSE	GERALDTON	WA	6530	04964	WARTA
HALLETT	KEITH	PO BOX 4011	GERALDTON	WA	6530	05388	WARTA
FISHER	ROBYN	3 YELLOWPATCH AVE	GLADSTONE	QLD	4680	05723	WARTA
LENZ	DONALD	6 BACALL STREET	GLADSTONE	QLD	4680	05726	WARTA
GRIFFITS	KENNETH	7 AMELIO STREET	GLADSTONE	QLD	4680	05728	WARTA
BUTLER	ELIZABETH	2 O'RYAN CLOSE	GWELUP	WA	6018	05638	WARTA
BEAVIS	KERRIE	PO BOX 568	HEATHCOTE	VIC	3523	05755	WARTA
PEARCE	CASEY	9 BANKS PLACE	HIGH WYCOMBE	WA	6057	05618	WARTA
HAYNES	ALFRED	7 FYSH PLACE	HUNTINGDALE	WA	6110	04986	WARTA
GRAHAM	MARTIN	64 REGENTS PARK ROAD	JOONDALUP	WA	6027	05374	WARTA
HUDSON	DAMIAN	21 A MOSS STREET	KALGOORLIE	WA	6430	05347	WARTA
TOM	CHRISTOPHER	15 EDMONTON PLACE	KINGSLEY	WA	6026	05075	WARTA
BRAUMAN	JASON	33 MAYES AVE	KINGSTON	QLD	4114	05729	WARTA
FOSTER	WARREN	10 SUSAN AVE	KIPPA-RING	QLD	4021	05730	WARTA
MCANINLY	LYNETTE	PO BOX 380	LEONGATHA	VIC	3987	05429	WARTA
HOOPER	THOMAS	16 CRADDOCK ROAD	MERREDIN	WA	6415	05045	WARTA
HOWELL	GRAHAM	52 MITCHELL STREET	MERREDIN	WA	6415	05684	WARTA
SING	STEWART	PO BOX 4	MERREDIN	WA	6415	05046	WARTA
EATON	BRENDAN	11 OATS CRT	MIDLAND	WA	6056	05791	WARTA
MILES	TIMOTHY	PO BOX 5092	MIDLAND	WA	6056	05581	WARTA
FRANDSEN	KIM	40 CHAUCER STREET	MOOROOKA	QLD	4105	05721	WARTA
O'MEARA	GARY	145 YALLARA RISE	MUNDARING	WA	6073	05795	WARTA
LUNAM	ROBERT	PO BOX 109	NUNGARIN	WA	6490	05633	WARTA
ANDERSON	BRENTON	15 SCENIC DRIVE	OLD NOARLUNGA	SA	5168	05695	WARTA
DELBORELLO	SHARNA	52 ROCHE ROAD	PORT HEADLAND	WA	6712	05676	WARTA
MCCORMACK—UNSWORTH	MASON	19 BERIGAN STREET	REDBANK PLAINS	QLD	4301	05722	WARTA
GADSBY	ANDREW	17 FRODSHAM ROAD	RINGWOOD NORTH	VIC	3134	05753	WARTA
WOLDSETH	KEVIN	4 CRAWFORD CRT	SAFETY BAY	WA	6169	05798	WARTA
SULLIVAN	GARY	29/B FROBISHER AVENUE	SORRENTO	WA	6020	05380	WARTA
O'GRADY	BRIAN	31 PATEMAN PLACE	SOUTH YUNDERUP	WA	6208	05794	WARTA
JACKA	PETER	4 PATEMAN PLACE	SOUTH YUNDERUP	WA	6208	05793	WARTA

Surname	First Name	Street	Suburb	State	Post Code	Accredited Number	Provider
STEVENS	MICHELLE	96 A CEDRIC STREET	STIRLING	WA	6021	05746	WARTA
RUTTER	BRYAN	165 BELLS POCKET ROAD	STRATHPINE	QLD	4500	05724	WARTA
ALIMORE	JOHN PETER	103 VERBRANA ROAD	TAMBORINE	QLD	4270	05720	WARTA
PALMER	JAMES LEWIS	PO BOX 598	TOODYAY	WA	6566	05408	WARTA
PRINCE	PAUL DAVID	1 POWIS WAY	WARNBRO	WA	6169	05624	WARTA
JONES	ROBERT ALAN	245 PRINCESS HIGHWAY	WAURN PONDS	VIC	3216	05697	WARTA
RODERICK	STEPHEN JD	C/O 239 STAR STREET	WELSHPOOL	WA	6106	05355	WARTA
McGRATH	DOUGLAS LESLIE	13 McGRATH COURT	WODONGA	VIC	3690	05698	WARTA

RACING, GAMING AND LIQUOR

RA401*

LIQUOR CONTROL ACT 1988

LIQUOR APPLICATIONS

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

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

App. No.	Applicant	Nature of Application	Last Date for Objections
APPLICATIONS FOR THE GRANT OF A LICENCE			
14397	Daniel Behrouz	Application for the grant of a Wholesalers licence in respect of premises situated in Malaga and known as Red Swan Wholesale Liquor	14/03/2013
14525	The Real River Company Pty Ltd	Application for the grant of a Restaurant licence in respect of premises situated in Naturaliste and known as The Cider Room	27/03/2013
14642	AFL Pty Ltd	Application for the grant of a Liquor Store licence in respect of premises situated in Noranda and known as De Vine Cellars Noranda	21/03/2013
APPLICATION FOR EXTENDED TRADING PERMITS—ONGOING EXTENDED HOURS			
39849	Ann Marie Peterson and Martin Christopher Peterson	Application for the grant of an extended trading permit ongoing hours in respect of premises situated in Youngs Siding and known as Moore Youngs Sidings General Store	13/03/2013
APPLICATION FOR EXTENDED TRADING PERMITS—LIQUOR WITHOUT A MEAL			
39766	Bruba Pty Ltd	Application for the grant of an extended trading permit liquor without a meal in respect of premises situated in Henley Brook and known as Mash Brasserie	12/03/2013

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

B. A. SARGEANT, Director of Liquor Licensing.

22 February 2013.

DECEASED ESTATES

ZX401

TRUSTEES ACT 1962
DECEASED ESTATES

Notice to Creditors and Claimants

Ronald Spencer Thorpe, late of 8/6 Hobbs Drive, Armadale, Western Australia, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the estate of the deceased, who died on 10 December 2012 in Fremantle, Western Australia, are required to send particulars of their claims to the Executor, Mr Stuart Thorpe of 80 Fraser Street, East Fremantle WA 6158 on or before 26 March 2013. After this date the Executor may convey or distribute the assets having regard only to the claims of which he has notice.

STUART THORPE.

ZX402*

TRUSTEES ACT 1962
DECEASED ESTATES

Notice to Creditors and Claimants

Rudolph Heinrich Tonsjost (aka Rudolph Heinrich Toensjost), late of 9 Robin Court, Singleton, Western Australia, Retired Architect, died 2 July 2009. On 11 September 2009 the Supreme Court of WA granted Probate 3608/2009 to Guenter Quiskamp as Executor of c/- Mendelawitz Morton Lawyers, PO Box 501 WA 6872 (Ref: L23055).

Creditors and other persons having claims in respect of the estate of the deceased (including to which Section 63 of the *Trustees Act 1962*, relates), are required by the Executor to send particulars of their claims to the Executor by 31 March 2013, after which date the Executor may convey or distribute the assets, having regard to only the claims of which he then has notice.

ZX403

TRUSTEES ACT 1962
DECEASED ESTATES

Notice to Creditors and Claimants

Shirley Margaret McHardy, late of Clarence Estate, 55 Hardie Road, Albany in the State of Western Australia, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the estate of the deceased, who died on the 26th day of August 2012 at Albany, in the said State, are required by the personal representative, Helen Margaret Brown of 73 Woodides Road, Elleker, Western Australia to send particulars of their claims to David Moss & Co of PO Box 5744, Albany WA 6332 by the date one month following the publication of this notice, after which date the personal representative may convey or distribute the assets having regard only to the claims for which she has then had notice.

WESTERN AUSTRALIA

**FAIR TRADING (RETIREMENT VILLAGES
INTERIM CODE) REGULATIONS 2013**

*Price: \$11.00 plus postage

* Prices subject to change on addition of amendments.