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GOVERNMENT  
Gazette**

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## **GOVERNMENT GAZETTE**

### **PUBLISHING DETAILS FOR EASTER AND ANZAC DAY 2018**

A *Gazette* will be published at noon on **Thursday 29<sup>th</sup> March** and closing time for copy is **Tuesday 27<sup>th</sup> March** at noon.

A *Gazette* will be published at noon on **Friday 6<sup>th</sup> April** and closing time for copy is **Wednesday 4<sup>th</sup> April** at noon.

**The *Gazette* will not be published on Tuesday 3<sup>rd</sup> April 2018.**

The closing time for copy for *Gazette* published **Friday 27<sup>th</sup> April 2018** is **Tuesday 24<sup>th</sup> April** at noon.

# — PART 1 —

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## ENERGY

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EN301

Energy Safety Act 2006

### Energy Safety Levy Notice 2018

Made by the Minister under the *Energy Safety Act 2006* section 14.

**1. Citation**

This notice is the *Energy Safety Levy Notice 2018*.

**2. Application**

This notice applies in respect of the financial year commencing on 1 July 2018 and is made having regard to the business plan for that financial year.

**3. Total amount to be raised by way of levy**

- (1) The total amount to be raised by way of levy is \$7 225 000.
- (2) In accordance with the business plan and section 6(1)(d) and (2) of the Act —
  - (a) 67% of the total amount to be raised by way of levy is payable by those energy industry participants liable under clause 4(3); and
  - (b) 33% of the total amount to be raised by way of levy is payable by those energy industry participants liable under clause 5(4).

**4. Electricity industry participants liable to pay levy**

- (1) In this clause —

*electrical installation* has the meaning given in the *Electricity (Licensing) Regulations 1991* regulation 3(1);

*network* means —

  - (a) a transmission system as defined in the *Electricity Industry Act 2004* section 3; or
  - (b) a distribution system as defined in the *Electricity Industry Act 2004* section 3.

- (2) For the purposes of this clause, a site containing multiple tenants (for example, a residential retirement complex, office building, shopping centre or apartment block) but with only 1 point of direct connection to a network is to be treated as 1 consumer site.
- (3) An energy industry participant is liable to pay a levy if on 31 March 2018 —
  - (a) the participant operates 1 or more networks; and
  - (b) there are 500 or more consumer sites that have an electrical installation connected directly to a network operated by the participant.
- (4) The amount of levy payable by an energy industry participant liable under subclause (3) is the proportion of the amount referred to in clause 3(2)(a) that —
  - (a) the number of consumer sites that on 31 March 2018 have an electrical installation connected directly to a network operated by the participant,  
bears to —
    - (b) the total number of consumer sites that on 31 March 2018 have an electrical installation connected directly to any of the networks operated by electricity industry participants liable under subclause (3) to pay a levy.

## 5. Gas industry participants liable to pay levy

- (1) In this clause —

*distribution system* has the meaning given in the *Energy Coordination Act 1994* section 3(1);

*gas distributor* means —

  - (a) a holder of a distribution licence as defined in the *Energy Coordination Act 1994* section 3(1); or
  - (b) a person exempted under the *Energy Coordination Act 1994* from the requirement to hold a licence referred to in paragraph (a); or
  - (c) an entity, other than a primary producer or supplier of LP gas such as BP Refinery (Kwinana) Proprietary Limited or Wesfarmers LPG Pty Ltd, distributing (whether directly, through an agent or as described in subclause (3)) LP gas —
    - (i) to consumers with on-site fixed LP gas storage facilities (*bulk tanks*); or
    - (ii) to consumers in portable cylinders;

*gas installation* has the meaning given in the *Gas Standards Act 1972* section 4;

*LP gas* means liquefied petroleum gas;

**portable cylinder** means a portable cylinder, other than one fixed to a motor vehicle, designed to hold 45 kg of LP gas when full.

- (2) For the purposes of this clause —
  - (a) a site containing multiple tenants (for example, a residential retirement complex, office building, shopping centre or apartment block) but with only 1 point of direct connection to a distribution system is to be treated as 1 consumer site; and
  - (b) a site containing multiple tenants (for example, a residential retirement complex, office building, shopping centre or apartment block) that all consume LP gas from a single source supplied by a bulk tank or multiple interconnected portable cylinders is to be treated as 1 consumer; and
  - (c) a consumer to whom an entity distributes LP gas, whether to the consumer's bulk tank or in portable cylinders, on more than 1 occasion is to be treated as 1 consumer.
- (3) For the purposes of this clause, an entity is taken to distribute LP gas to consumers if —
  - (a) an entity distributes LP gas in bulk, or portable cylinders, to a dealer who is authorised or permitted by the entity to distribute the gas; and
  - (b) the dealer distributes the LP gas to the bulk tanks of, or in portable cylinders to, consumers.
- (4) An energy industry participant is liable to pay a levy if —
  - (a) on 31 March 2018 —
    - (i) the participant is a gas distributor; and
    - (ii) there are 500 or more consumer sites with a gas installation connected directly to a distribution system operated by the participant;
  - or
  - (b) in the financial year commencing on 1 July 2017 —
    - (i) the participant is or was a gas distributor; and
    - (ii) the participant distributes (whether directly, through an agent, or as described in subclause (3)) LP gas to the bulk tanks of, or in portable cylinders to, more than 500 consumers.
- (5) The amount of levy payable by an energy industry participant liable under subclause (4) is the proportion of the amount referred to in clause 3(2)(b) that the sum of —
  - (a) the number of consumer sites that on 31 March 2018 have a gas installation connected directly to a distribution system operated by the participant; and

- (b) the number of consumers to whom the participant distributes LP gas, either to their bulk tanks or in portable cylinders, in the financial year commencing on 1 July 2017,

bears to the sum of —

- (c) the total number of consumer sites that on 31 March 2018 have a gas installation connected directly to any of the distribution systems operated by energy industry participants liable under subclause (4)(a) to pay a levy; and
- (d) the total number of consumers to whom energy industry participants liable under subclause (4)(b) to pay a levy distribute LP gas, either to their bulk tanks or in portable cylinders, in the financial year commencing on 1 July 2017.

#### **6. Time for payment of levy**

- (1) The levy is payable in quarterly instalments.
- (2) The first quarterly instalment is payable within 28 days after the issue of the notice of assessment.
- (3) The further quarterly instalments are payable —
  - (a) on or before 1 October, 1 January and 1 April respectively; or
  - (b) if the notice of assessment provides for payment on a later date — on the later date.

Date: 19 March 2018.

W. JOHNSTON, Minister for Commerce and Industrial Relations.

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## **HEALTH**

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HE301

Health Services Act 2016

### **Health Services (Health Service Provider Land) Amendment Order 2018**

Made by the Minister under section 208 of the Act.

#### **1. Citation**

This order is the *Health Services (Health Service Provider Land) Amendment Order 2018*.

**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. Order amended**

This order amends the *Health Services (Health Service Provider Land) Order 2016*.

**4. Clause 3 amended**

In clause 3(1) in the Table Division 4 delete the item for Pingelly Health Centre and insert:

Pingelly Health Centre	32 Brown Street, Pingelly	555	LR3166	971	52569
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R. COOK, Minister for Health.

HE302

Cremation Act 1929

## Cremation Amendment Regulations 2018

Made by the Governor in Executive Council.

**1. Citation**

These regulations are the *Cremation Amendment Regulations 2018*.

**2. Commencement**

These regulations come into operation as follows —

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

**3. Regulations amended**

These regulations amend the *Cremation Regulations 1954*.

**4. Appendix “B” amended**

In Appendix “B” in the item commencing “For a permit to cremate”:

- (a) in paragraph (a) delete “67.10” and insert:

68.20

- (b) in paragraph (b) delete “110.00” and insert:

112.20

N. HAGLEY, Clerk of the Executive Council.

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**MARINE/MARITIME**

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MA301

Western Australian Marine Act 1982

**W.A. Marine (Certificates of Competency and Safety Manning) Amendment Regulations 2018**

Made by the Governor in Executive Council.

**1. Citation**

These regulations are the *W.A. Marine (Certificates of Competency and Safety Manning) Amendment Regulations 2018*.

**2. Commencement**

These regulations come into operation as follows —

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

**3. Regulations amended**

These regulations amend the *W.A. Marine (Certificates of Competency and Safety Manning) Regulations 1983*.



**4. Schedule 1 replaced**

Delete Schedule 1 and insert:

**Schedule 1**

[r. 4]

**Geographical limits of smooth waters and partially smooth waters**

<b>Area</b>	<b>Smooth water limits</b>
Western Australian Inland Waters	All rivers and inland waterways with the exception of Lake Argyle.
Albany	Princess Royal Harbour west of a line through Possession Point (35°2.523'S, 117°55.319'E) and King Point (35°2.093'S, 117°55.174'E). Oyster Harbour north of the latitude of Emu Point (34°59.886'S).
Bunbury	Bunbury Inner Harbour, Leschenault Inlet, Casuarina Boat Harbour and waters of Koombana Bay enclosed by a line joining the end of the Bunbury breakwater (33°18.028'S, 115°38.753'E) and No. 1 Groyne (33°18.804'S, 115°39.559'E).
Carnarvon	Carnarvon Fishing Boat Harbour, Fascine and waters of Shark Bay and Teggs Channel enclosed by a line from Babbage Island lighthouse (24°52.547'S, 113°37.874'E) to 24°54.389'S, 113°37.713'E; thence to 24°54.736'S, 113°38.845'E; thence to 24°54.465'S, 113°39.104'E; thence to 24°54.315'S, 113°39.141'E.
Esperance	The waters south-west of a line joining the end of the port breakwater (33°52.040'S, 121°54.465'E) and the James Street groyne (33°51.658'S, 121°53.804'E).
Fremantle	Fremantle Inner Harbour and Rous Head Harbour bounded by a line between 32°3.238'S, 115°43.515'E and 32°3.352'S, 115°43.951'E. Fremantle Fishing Boat Harbour, Success Boat Harbour and Challenger Harbour bounded by a line between 32°3.812'S, 115°44.380'E and 32°3.886'S, 115°44.562'E. Jervoise Bay Boat Harbour bounded by a line between 32°8.743'S, 115°45.541'E and 32°8.706'S, 115°45.647'E.
Perth-Northern	Hillarys Boat Harbour bounded by a line between 31°49.395'S, 115°43.900'E and 31°49.417'S, 115°44.019'E. Ocean Reef Boat Harbour bounded by a line between 31°45.633'S, 115°43.575'E and 31°45.646'S, 115°43.612'E. Mindarie Keys Marina bounded by a line between 31°41.339'S, 115°41.869'E and 31°41.387'S, 115°41.946'E.
Geraldton	Geraldton Harbour, Geraldton Fishing Boat Harbour, Batavia Coast Marina and Champion Bay south of a line from the end of the groyne at 28°46.211'S, 114°35.521'E to the end of the groyne at

<b>Area</b>	<b>Smooth water limits</b>
	28°46.062'S, 114°35.940'E; thence to the end of the marina northern breakwater at 28°45.870'S, 114°36.614'E.
Port Hedland	Port Hedland Harbour and entrance south of a line along latitude 20°17.750'S between North Point and the spoil bank.
<b>Area</b>	<b>Partially smooth water limits</b>
Albany	King George Sound north and west of a line joining Limestone Head (35°5.327'S, 117°59.790'E) and Herald Point (35°1.144'S, 118°2.208'E).
Broome-Roebuck Bay	Roebuck Bay north of the latitude of Entrance Point (18°0.540'S).
Dampier	The waters enclosed by a line running due west from Phillip Point (20°37.555'S, 116°44.824'E); thence south and west along the shore of East Lewis Island; thence due south from King Point (20°37.873'S, 116°38.081'E) to where it meets the causeway south of West Intercourse Island.
Derby	King Sound south of the latitude of Point Torment (17°1.883'S).
Fremantle Area-Central	Cockburn Sound, Gage Roads and waters of the Indian Ocean enclosed by the coast and a line from John Point on Point Peron (32°15.860'S, 115°41.167'E) to Collie Head on Garden Island (32°14.769'S, 115°41.493'E), the eastern shore of Garden Island, a line from Entrance Point on Garden Island (32°9.427'S, 115°39.686'E) to Parker Point on Rottnest Island (32°1.602'S, 115°31.746'E), the eastern and northern shores of Rottnest Island, the longitude of 115°30.090'E northwards to latitude 31°45.927'S, and a line due east to the mainland.
Fremantle Area-Northern	The waters enclosed by a line from the coast west along latitude 31°45.927'S to 31°45.927'S, 115°40.089'E; thence to 31°43.677'S, 115°39.139'E; thence to the Eglinton Rocks (31°37.236'S, 115°39.373'E); thence to Pipidinny Reef (31°35.549'S, 115°38.028'E) inshore of Alkimos Reef; thence east to the coast along latitude 31°35.549'S.
Fremantle Area-Southern	Warnbro Sound and Shoalwater Bay east of a line joining Becher Point (32°22.253'S, 115°42.941'E) to the Sisters (32°21.235'S, 115°41.419'E); thence to the southern end of Penguin Island (32°18.535'S, 115°41.405'E); thence along the eastern shore of Penguin Island; thence from the northern end of Penguin Island (32°18.103'S, 115°41.395'E) to Mushroom Rock at Cape Peron (32°16.041'S, 115°41.044'E).

<b>Area</b>	<b>Partially smooth water limits</b>
Koolan Island- Yampi Sound	The waters enclosed by a line due north from the mainland at 16°11.201'S, 123°47.871'E to the eastern end of Koolan Island (16°8.790'S, 123°47.871'E); thence west along the southern shore of Koolan Island to the western end of Koolan Island (16°6.728'S, 123°40.971'E); thence westerly to the east end of Cockatoo Island (16°6.009'S, 123°38.434'E); thence along the southern shore of Cockatoo Island to the west end of Cockatoo Island (16°5.122'S, 123°35.051'E); thence due south to the mainland at 16°9.893'S, 123°35.051'E.
Kuri Bay	The waters of Brecknock Harbour enclosed by a line starting on the mainland west of Kuri Bay at 15°28.620'S, 124°30.072'E; thence to the eastern end of Kannamatju Island at 15°27.439'S, 124°30.063'E, thence to 15°26.538'S, 124°30.253'E; thence across the North Entrance to Augustus Island at 15°25.992'S, 124°30.612'E; thence along the southern shore of Augustus Island to the northern side of Rogers Strait at 15°24.667'S, 124°38.126'E; thence across Rogers Strait to Camden Peninsula at 15°25.985'S, 124°38.126'E.
Lake Argyle	All the waters of Lake Argyle that are in Western Australia.
Port Walcott	The waters of Port Walcott west of 117°13.198'E (the eastern end of Jarman Island), south of 20°32.811'S (the northern end of Bezout Island) and east of 117°10.078'E.
Wyndham- Cambridge Gulf	The waters of the west arm of Cambridge Gulf south of the latitude of Pender Point (15°16.917'S) and north of a line through 15°29.456'S, 128°1.901'E and 15°29.980'S, 128°2.219'E including the Forrest River downstream from a line through 15°16.297'S, 127°56.910'E and 15°16.116'S, 127°57.629'E.

N. HAGLEY, Clerk of the Executive Council.

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## RACING, GAMING AND LIQUOR

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**RA301**

**RACING AND WAGERING WESTERN AUSTRALIA ACT 2003**  
**RACING AND WAGERING WESTERN AUSTRALIA (FOB RULES)**  
**NOTICE (NO. 2) 2018**

Made by Racing and Wagering Western Australia under section 61 of the Act.

**1. Citation**

This notice is the *Racing and Wagering Western Australia (FOB Rules) Notice (No. 2) 2018*.

**2. Commencement**

These rules came into operation on 12 June 2012.

### 3. Interpretation

In this notice—

“the Act” means the *Racing and Wagering Western Australia Act 2003*;

“the Rules” means the rules described in clause 4, adopted by Racing and Wagering Western Australia.

### 4. Rules adopted under section 61 of the Act

(1) In a meeting held on 31 May 2012, Racing and Wagering Western Australia resolved—

(a) to adopt and operate under rules relating to a jointly operated fixed odds wagering system in accordance with section 61(2) and (4) of the Act.

(2) A copy of the rules adopted was published for public information in the *Special Gazette* of 12 June 2012 at pp. 2413-2441.

(3) Further amendments to the Rules were adopted by resolution of the Board dated 11 October 2012, 25 March 2013, 30 August 2013, 31 October 2013, 20 December 2013, 1 May 2014, 3 September 2014, 28 November 2014, 21 September 2015, 23 November 2015, 21 January 2016, 29 February 2016, 4 April 2016, 27 June 2016, 25 July 2016, 29 August 2016, 3 October 2016, 31 October 2016, 27 February 2017, 28 November 2016, 1 May 2017, 29 May 2017, 26 June 2017, 28 August 2017, 2 October 2017 and 26 February 2018 and published for public information in the *Gazettes* of 23 October 2012 at pp. 5058-5060, 5 April 2013 at pp. 1490-1491, 17 September 2013 at pp. 4337-4346, 15 November 2013 at pp. 5262-5265, 10 January 2014 at pp. 24-25, 13 May 2014 at pp. 1455-1465, 12 September 2014 at pp. 3290-3291, 5 December 2014 at pp. 4523-4525, 25 September 2015 at pp. 3881-3883, 27 November at pp. 4756-4758, 29 January 2016 at pp. 276-277, 4 March 2016 at pp. 627-628, 8 April 2016 at pp. 1101-1103, 1 July 2016 at pp. 2748-2749, 29 July 2016 at pp. 3215-3217, 2 September at pp. 3713-3714, 7 October 2016 at pp. 4379-4387, 4 November 2016 at pp. 5010-5011, 3 March 2017 at pp. 1482-1484, 28 March 2017 at pp. 1935-1936, 5 May 2017 at pp. 2370-2371, 2 June 2017 at pp. 2754-2755, 30 June 2017 at pp. 3594-3602, 1 September 2017 at pp. 4661-4664, 6 October 2017 at pp. 5182-5184 and 2 March 2018 at pp. 673-675.

### 5. Changes to Rules published for public information section 61(6)(c) of the Act

(1) Further amendments to the Rules were adopted by resolution of the Board dated 26 March 2018.

(2) Those further amendments to the Rules are published in the Schedule to this notice for public information, as required by section 61(6)(c) of the Act.

#### Schedule 1—Amendments to Adopted Rules

47.

Unless otherwise agreed in writing by RWWA, and subject to any legal requirement to be compelled to accept a wager at a given amount, (regardless as to whether the wager is accepted via the Internet at the time of placing the wager)—

- (a) if the wager is made via the internet/telephone—
  - (i) the maximum amount that may be paid out on any single win or win/place wager, including where the same wager is placed more than once is \$250,000;
  - (ii) the maximum amount that may be paid out on any multi wager, including any multi wagers with any repeated selections, is \$100,000;
- (b) if the wager is made via any other means—
  - (i) the maximum amount that may be paid out on any single win or win/place wager, including where the same wager is placed more than once is \$50,000;
  - (ii) the maximum amount that may be paid out on any multi wager, including any multi wagers with any repeated selections, is \$20,000;
- (c) Not Adopted.

# — PART 2 —

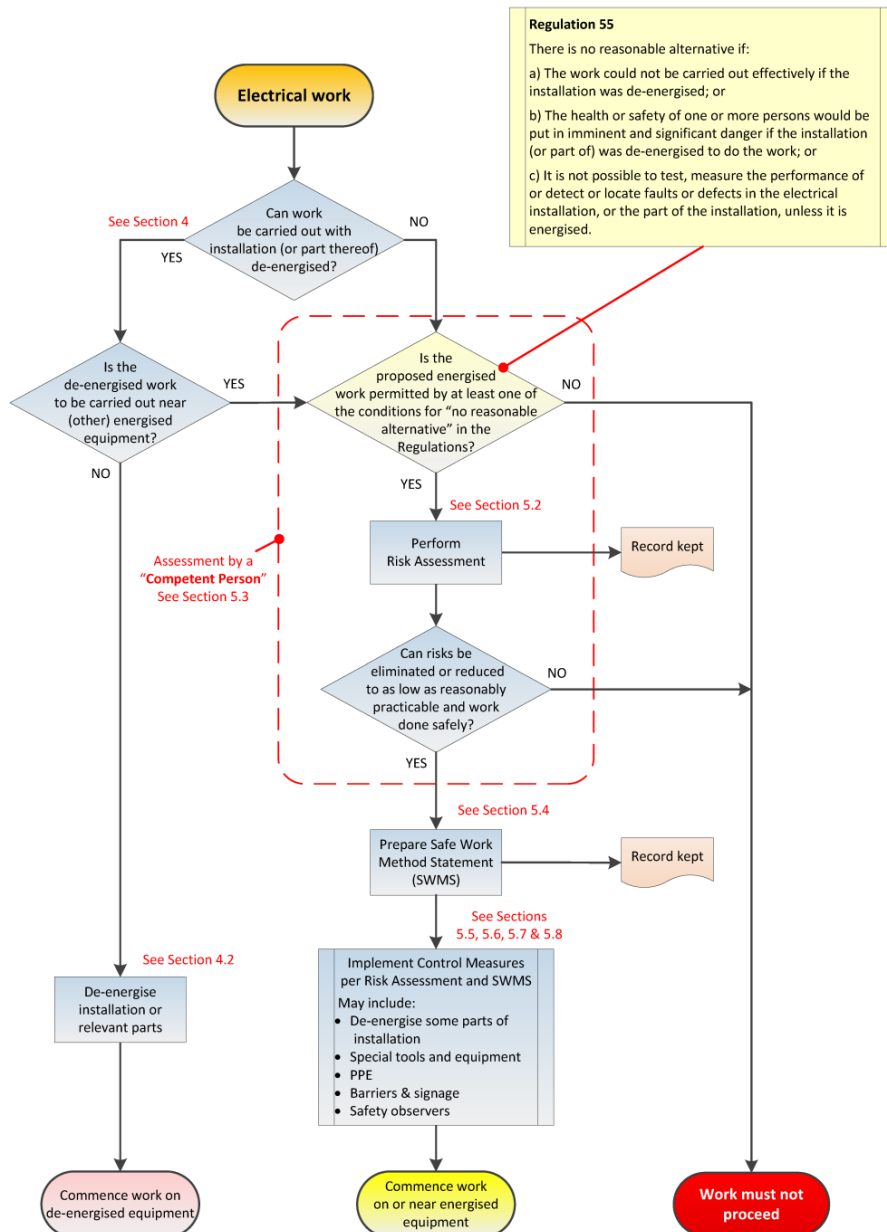
## ENERGY

EN101

*CORRECTION*  
**ELECTRICITY ACT 1945**  
**ELECTRICITY (LICENSING) REGULATIONS 1991**  
**CODE OF PRACTICE FOR PERSONS WORKING ON OR NEAR ENERGISED ELECTRICAL INSTALLATIONS**

An error occurred in the Decision Flowchart on page 5812 of *Gazette* No. 225 dated 1 December 2017. The references to clauses in the code as shown on the flowchart are incorrect. A corrected flowchart follows.

**Decision Flowchart—Work on or near energised electrical installations**



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## JUSTICE

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JU401

### PRISONS ACT 1981 PERMIT DETAILS

Pursuant to Section 15U of the *Prisons Act 1981*, I hereby revoke the following permits—

Surname	Other Name(s)	Permit No.
Alexander	Shawn	PA 0175
Cheesman	Antony Alan	PA 0009
Jones	Graham	AP 0638
Jones	Rebecca Louise	PA 0101

TONY HASSALL, A/Commissioner.

23 March 2018.

JU402

### JUSTICES OF THE PEACE ACT 2004 APPOINTMENTS

It is hereby notified for public information that Her 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—

Heng Suan Ang of Willetton

JOANNE STAMPALIA, Executive Director,  
Court and Tribunal Services.

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## LOCAL GOVERNMENT

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LG401

### LOCAL GOVERNMENT ACT 1995 *City of Armadale* BASIS OF RATES

I, Michael Connolly, being delegated by the Minister of the Crown to whom the administration of the *Local Government Act 1995* is committed by the Governor, and acting pursuant to section 6.28 (1) of that Act, hereby, and with effect from 15 March 2018, determine that the method of valuation to be used by the City of Armadale, as the basis for a rate in respect of the land referred to in the Schedule is to be the gross rental value of the land—

#### Schedule

	Designated land
UV to GRV	All those portions of land being Lot 349 and Lots 601 to 611 inclusive as shown on Deposited Plan 412669.

MICHAEL CONNOLLY, Deputy Director General—Regulation,  
Department of Local Government, Sport and Cultural Industries.

LG402

### LOCAL GOVERNMENT ACT 1995 *City of Albany* BASIS OF RATES

I, Michael Connolly, being delegated by the Minister of the Crown to whom the administration of the *Local Government Act 1995* is committed by the Governor, and acting pursuant to section 6.28 (1) of that Act, hereby, and with effect from 14 March 2018, determine that the method of valuation to be used by the City of Albany, as the basis for a rate in respect of the land referred to in the Schedule is to be the gross rental value of the land—

## Schedule

	Designated land
UV to GRV	All those portions of land being Lots 1 to 7 inclusive as shown on Deposited Plan 412651 and Lot 171 and Lot 183 as shown on Deposited Plan 413245.

MICHAEL CONNOLLY, Deputy Director General—Regulation,  
Department of Local Government, Sport and Cultural Industries.

## LG403

**LOCAL GOVERNMENT ACT 1995***Shire of Serpentine Jarrahdale*

## BASIS OF RATES

I, Michael Connolly, being delegated by the Minister of the Crown to whom the administration of the *Local Government Act 1995* is committed by the Governor, and acting pursuant to section 6.28 (1) of that Act, hereby, and with effect from 14 March 2018, determine that the method of valuation to be used by the Shire of Serpentine Jarrahdale, as the basis for a rate in respect of the land referred to in the Schedule is to be the gross rental value of the land—

## Schedule

	Designated land
UV to GRV	All those portions of land being Lot 70 and Lot 71 as shown on Deposited Plan 411037.

MICHAEL CONNOLLY, Deputy Director General—Regulation,  
Department of Local Government, Sport and Cultural Industries.

## LG404

**LOCAL GOVERNMENT ACT 1995***City of Swan*

## BASIS OF RATES

I, Michael Connolly, being delegated by the Minister of the Crown to whom the administration of the *Local Government Act 1995* is committed by the Governor, and acting pursuant to section 6.28 (1) of that Act, hereby, and with effect from 14 March 2018 determine that the method of valuation to be used by the City of Swan, as the basis for a rate in respect of the land referred to in the Schedule is to be the gross rental value of the land—

## Schedule

	Designated land
UV to GRV	All those portions of land being Lots 101 to 122 inclusive and Lots 125 to 132 inclusive as shown on Deposited Plan 412832.

MICHAEL CONNOLLY, Deputy Director General—Regulation,  
Department of Local Government, Sport and Cultural Industries.

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**MARINE/MARITIME**


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## MA401

**WESTERN AUSTRALIAN MARINE ACT 1982****NAVIGABLE WATERS REGULATIONS 1958**

## PROHIBITED SWIMMING AREA

Burswood to East Perth

Department of Transport,  
Fremantle WA 6 April 2018.

Acting pursuant to the powers conferred by Section 10A of the *Navigable Waters Regulations 1958*, I hereby prohibit swimming within the following area from Wednesday 4 April 2018.

Swan River: All the waters of the Swan River within 300 metres upstream and downstream of the Matagarup Bridge as delineated by lit and unlit yellow special marker buoys.

CHRISTOPHER J. MATHER, Director Waterways Safety Management,  
Department of Transport.

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**MINERALS AND PETROLEUM**

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MP401

**MINING ACT 1978**

## INSTRUMENT OF VARIATION TO EXEMPTION OF LAND

The Minister for Mines and Petroleum, pursuant to the powers conferred on him by section 19 of the *Mining Act 1978*, hereby varies the exemption of land originally declared on 16 March 1987 and published in the *Government Gazette* dated 27 March 1987 by varying the description to that as described hereunder (not being private land or land that is the subject of a mining tenement or an application for a mining tenement) exempt from Division 1 to 5 of Part IV of the *Mining Act 1978*.

**Locality**

Cockatoo Island—West Kimberley Mineral Field

**Description of Land**

Land designated S19/51 in the TENGRAPH electronic plan of the Department of Mines, Industry Regulation and Safety. A geospatial description is filed in the Department of Mines, Industry Regulation and Safety electronic file number A0690/201201, document ID 5565005.

**Area of Land**

9.7531 hectares

Dated at Perth this 22nd day of March 2018.

Hon WILLIAM JOSEPH JOHNSTON MLA, Minister for Mines and Petroleum.

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MP402

**MINING ACT 1978**

## INSTRUMENT OF EXTENSION OF TERM OF EXEMPTION OF LAND

I, Anthony Thomas Bullen, Acting Executive Director, Resource Tenure, pursuant to section 19 of the *Mining Act 1978*, hereby extends the exemptions originally declared on 7 May 2012 and 22 April 2014 and published in the *Government Gazette* dated 18 May 2012 and 2 May 2014 respectively, for the areas described hereunder (not being private land or land that is the subject of a mining tenement or an application for a mining tenement) from Divisions 1 to 5 of Part IV of the *Mining Act 1978*, for a period of two years expiring on 21 April 2020.

**Locality**

Port Smith and Blina—West Kimberley Mineral Field

**Description of Land**

Land designated S19/333 and S19/358 in the TENGRAPH electronic plan of the Department of Mines, Industry Regulation and Safety. Geospatial descriptions are filed in the Department of Mines, Industry Regulation and Safety electronic file numbers A0309/201201 and A0307/201201, document ID's 1798628 and 2838029 respectively.

**Area of Land**

312.1793 and 760.8450 hectares respectively.

Dated at Perth this 27th day of March 2018.

ANTHONY THOMAS BULLEN, Acting Executive Director, Resource Tenure.

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**PARLIAMENT**

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PA401

## SHIRE OF CHITTERING REPEAL LOCAL LAW 2017

## Disallowance of Local Law

It is hereby notified for public information that the Legislative Council has disallowed the following local law made under the *Local Government Act 1995*—

The *Shire of Chittering Repeal Local Law 2017* published in the *Gazette* on 7 July 2017 and tabled in the Legislative Council on 16 August 2017.

Disallowance is effective on and from Thursday, 29 March 2018.

NIGEL PRATT, Clerk of the Legislative Council.

29 March 2018.



**PA402****SHIRE OF NORTHAMPTON LOCAL GOVERNMENT PROPERTY LOCAL LAW 2017****Disallowance of Local Law**

It is hereby notified for public information that the Legislative Council has disallowed the following local law made under the *Local Government Act 1995*—

The *Shire of Northampton Local Government Property Local Law 2017* published in the *Gazette* on 1 August 2017 and tabled in the Legislative Council on 16 August 2017.

Disallowance is effective on and from Thursday, 29 March 2018.

NIGEL PRATT, Clerk of the Legislative Council.

29 March 2018.

**PA403****BIOSECURITY AND AGRICULTURE MANAGEMENT ACT 2007  
NOTICE UNDER SECTION 130(1)****Disallowance of Notice Under Section 130(1)**

It is hereby notified for public information that the Legislative Council has disallowed the following notice made under the *Biosecurity and Agriculture Management Act 2007*—

The *Biosecurity and Agriculture Management Act 2007 Notice Under Section 130(1)* published in the *Gazette* on 27 June 2017 and tabled in the Legislative Council on 16 August 2017.

Disallowance is effective on and from Thursday, 29 March 2018.

NIGEL PRATT, Clerk of the Legislative Council.

29 March 2018.

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## **PLANNING**

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**PL401****PLANNING AND DEVELOPMENT ACT 2005****METROPOLITAN REGION SCHEME MAJOR AMENDMENTS**

1323/41—South Bullsbrook Urban Precinct

1324/41—Central Bullsbrook Urban Precinct

1325/41—North Bullsbrook Urban Precinct

**Call for Public Submissions**

The Western Australian Planning Commission (WAPC) is seeking public comment on proposals to amend the Metropolitan Region Scheme (MRS) for the Bullsbrook Urban Precincts in the City of Swan.

**1323/41—South Bullsbrook Urban Precinct**

The purpose of this amendment is to transfer approximately 210.7 ha of Rural zoned land to the Urban Deferred zone in the MRS.

**1324/41—Central Bullsbrook Urban Precinct**

The purpose of this amendment is to rezone approximately 153.17 ha of Rural zoned land to the Urban Deferred zone in the MRS.

**1325/41—North Bullsbrook Urban Precinct**

The purpose of this amendment is to rezone approximately 63.75 ha of Rural zoned land to the Urban Deferred zone in the MRS.

The proposed amendments will facilitate further planning to enable the future development of the amendment area for urban residential purposes

**Display locations**

Details of the proposals can be found in the WAPC's explanatory amendment reports. A separate report exists for each amendment. These documents, along with the amending plans and other supporting documentation showing the proposed changes to the zones and reservations of the MRS, will be available for public inspection, free of charge from 2 March 2018 to 8 June 2018.

All documents are available at the offices of—

- 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 Swan
- City of Kalamunda

Documents can also be viewed online at [www.planning.wa.gov.au/public-comment](http://www.planning.wa.gov.au/public-comment).

### 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, which is available from the display locations, the amendment report and online.

Submissions can be lodged online or by post to: Secretary, Western Australian Planning Commission, Locked Bag 2506, Perth WA 6001.

Submissions close 5pm, Friday 8 June 2018. Late submissions will not be considered.

KERRINE BLENKINSOP, Secretary,  
Western Australian Planning Commission.

## PL402

**PLANNING AND DEVELOPMENT ACT 2005**  
APPROVED LOCAL PLANNING SCHEME AMENDMENT  
*Shire of Merredin*  
Local Planning Scheme No. 6—Amendment No. 4

Ref: TPS/2190

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 Merredin Local Planning Scheme amendment on 8 March 2018 for the purpose of—

- (1) modifying Table 1—Zoning Table to delete the ‘X’ against ‘grouped dwelling’ in a General Farming zone and inserting a ‘D’<sup>1</sup>, and adding a footnote to Table as follows—
  - <sup>1</sup> Subject to clause 4.13’
- (2) Delete paragraph 2 in clause 4.13 of the Scheme and replace it with the following—
 

inserting a new clause as follows;

‘In the ‘General Farming’ zone, the erection of more than one (1) single house per lot will generally not be supported. The local government may, at its discretion, approve the erection of one (1) additional dwelling on a rural lot, provided that—

  - (a) the total number of dwellings on the lot will not exceed three (3) dwellings;
  - (b) the additional dwelling complies with the setback requirements not less than those specified for the Residential Design Code R2;
  - (c) the lot has an area of not less than 40 hectares;
  - (d) it can be demonstrated that the additional dwelling is for workers or family members employed for primary production activities on the lot;
  - (e) adequate provision of potable water for, and disposal of sewage from, the additional dwelling can be demonstrated;
  - (f) the additional dwelling will not adversely detract from the rural character and amenity of the area or conflict with primary production on the subject lot or adjoining land;
  - (g) access to the existing road network is to be provided for any additional dwelling and shared with any existing dwelling where practicable;
  - (h) the existence of more than one dwelling on a lot in the ‘General Farming’ zone shall not be considered by itself to be sufficient grounds for subdivision.’
- (3) reclassifying Lots 45 and 46 Plimpton Street, Burracoppin, from ‘Parks and Recreation’ local scheme reserve to ‘Townsite’ zone with a residential density code of ‘R10/20’; and
- (4) reclassifying Crown Reserve 13876 Bates Street, Merredin, from ‘Public Purposes—Primary School’ local scheme reserve to ‘Public Purposes—Civic and Cultural’ local scheme reserve and ‘Residential’ zone with a residential density code of ‘R10/50’.

K. HOOPER, Shire President.  
G. POWELL, Chief Executive Officer.

PL403

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

*Shire of Nannup*

Local Planning Scheme No. 3—Amendment No. 19

Ref: TPS/1975

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 Nannup Local Planning Scheme amendment on 23 March 2018 for the purpose of—

1. Deleting the following Parts, clauses, sub-clauses and Schedules from the Scheme text, as they have been superseded by the deemed provisions set out in Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*—
  - Part 2 in its entirety;
  - Part 4, Clauses 4.13.4.3, 4.13.9.2(b), 4.13.9.4, 4.13.10.2(c), 4.13.10.8, 4.13.12.1(c) and 4.13.12.2 to 4.13.12.10;
  - Part 5, Clauses 5.8.14.2(b), 5.8.14.6, 5.8.14.7, 5.8.14.8, 5.8.14.10 and 5.8.15;
  - Part 6, Clauses 6.2.3.3 to 6.2.3.6;
  - Part 7 in its entirety;
  - Part 8 in its entirety except portions of clause 8.2 which is to be inserted into Schedule A—Supplemental Provisions;
  - Part 9 in its entirety;
  - Part 10 in its entirety;
  - Part 11 in its entirety;
  - Schedules 5, 6, 7, 8, 9 and 14 in their entirety; and
  - Part 13, Clauses 13.1 to 13.8.
2. Deleting the following definitions from Schedule 1, as they have been superseded by the following definitions in the deemed provisions set out in Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*—
  - advertisement;
  - amenity;
  - Building Code of Australia;
  - cultural heritage significance
  - local government
  - owner;
  - premises;
  - substantially commenced; and
  - zone.
3. Deleting the following definitions from Schedule 1—
  - Residential Planning Codes; and
  - Scheme Act.
4. Deleting reference to the following terms ‘planning approval’, ‘planning consent’, ‘planning application’, ‘single dwelling’ and ‘Residential Planning Codes’ throughout the Scheme and replace them with the corresponding terms ‘development approval’, ‘development application’, ‘single house’ and ‘Residential Design Codes’ throughout the Scheme.
5. Modifying Clause 5.8.14.5 through deleting ‘Schedule 5’ and replacing it with ‘adopted local planning policy’ and deleting—
 

‘The exemptions listed in Schedule 5 do not apply to places, buildings, conservation areas or landscape protection zones which are either—

  - (i) listed by the National Trust;
  - (ii) listed on the register the National Estate and/or
  - (iii) listed in the local government’s Heritage List pursuant to Clause 7.1 of the Scheme.’
6. Modifying Schedule 4 through deleting the following—
  - SU3—Conditions/Special Provisions 1—deleting ‘for the approval of the local government and Commission’;
  - SU4—Conditions/Special Provisions 1—deleting ‘in accordance with Part 9 of the Scheme Text’;
  - SU5—Conditions/Special Provisions 1—deleting ‘for the approval of the local government (and Commission if for subdivision). The Structure Plan is to address, but not be limited to, the following—
    - Proposed method of effluent disposal and its impact upon the environmental values of Higgins Swamp;

- Development and effluent disposal (if not sewerage) to the water body; and
  - Extent of earthworks (e.g. fill) required to accommodate proposed development’;
  - SU6—Conditions/Special Provisions 2—deleting ‘The plan is to be prepared in accordance with the publication ‘Planning for Bush Fire Protection Policy 2001’;
  - SU7—Conditions/Special Provisions 1;
  - SU8—Conditions/Special Provisions 1;
  - SU10—Conditions/Special Provisions 1;
  - SU11—Lot 10 Balingup-Nannup Road—Conditions/Special Provisions 1 and in Conditions/Special Provisions 3 deleting ‘associated with the Managers Residence as shown on the Structure Plan’;
  - SU11—Nelson Location 853 Barrabup Road, Conditions/Special Provisions 1, 2 and 3;
  - SU12—Conditions/Special Provisions 1, 2 and 3, Conditions/Special Provisions 4 deleting ‘and considered under part 10 of this Scheme’ and in Conditions/Special Provisions 8 deleting ‘as depicted on the Structure Plan’; and
  - SU13—Conditions/Special Provisions 1, 2 and 3.
7. Modifying Schedule 12 through deleting the following—
- SR1—Condition 1;
  - SR2—Condition 1;
  - SR3—Condition 1;
  - SR4—Condition 1;
  - SR5—Condition 1;
  - SR6—Condition 1;
  - SR7—Condition 1;
  - SR8—Condition 1;
  - SR9—Condition 1;
  - SR10—Condition 1 and 5;
  - SR11—Condition 1 and 6;
  - SR12—Condition 1, in Condition 2 deleting ‘as identified on the Subdivision Guide Plan referred to in Special Provision (1) relating to this land’ and in Condition 2(d) deleting ‘as indicated on the endorsed Subdivision Guide Plan’;
  - SR13—Condition 1 and in Condition 12 deleting ‘nominated on the Subdivision Guide Plan’;
  - SR14—Condition 1, 2 and 3, in Condition 6 deleting ‘as depicted on the Structure Plan’ and in Condition 7 deleting ‘as depicted on the Structure Plan’; and
  - SR15—Condition 1, 2 and 3, in Condition 5 deleting ‘as depicted on the Structure Plan’ and in Condition 6 deleting ‘as depicted on the Structure Plan’.
8. Deleting Condition 3 in Schedule 13 for Special Residential Zone 1 (SRes1).
9. Modifying Schedule 16 through—
- deleting points 1, 2, 3 and 4 in Land Use Expectations;
  - adding the following to Land Use Expectations ‘When considering land use, due regard shall be given to the zones delineated in a Structure Plan adopted in accordance with the deemed provisions;’
  - deleting ‘(in addition to Schedule 14)’ for the heading of the third column;
  - deleting ‘proposed within the Structure Plan’ in point 1 of the third column; and
  - deleting points 2 and 3 of the third column.
10. Modifying Part 13 through—
- changing ‘Fire Management Plan’ to ‘Bushfire Management Plan’; and
  - deleting ‘the Planning for Bush Fire Protection Guidelines (Edition 2), or any updates, in Clause 13.9(c) and replacing it with ‘Commission guidelines’.
11. Inserting the following provisions into Schedule A—Supplemental Provisions—
- ‘These provisions are to be read in conjunction with the deemed provisions (Schedule 2) contained in the *Planning and Development (Local Planning Schemes) Regulations 2015*.
- Clause 61(1)(k)—the erection or extension of a single house on a lot if a single house is a permitted (‘P’) use in the zone where the R-Codes do not apply except where the proposal—
- (i) requires the exercise of a discretion by the local government under the scheme to vary the setback provisions of a specific zone;
  - (ii) is outside an approved building envelope or within a building exclusion area;
  - (iii) is within the Flood Risk Land Special Control Area;
  - (iv) is within the Landscape Values Area; or
  - (v) is on a lot or location which does not have access to a dedicated and/or constructed road.

Clause 61(1) (l)—the erection or extension of an outbuilding, in a zone where the R-Codes do not apply except where the proposal—

- (i) requires the exercise of a discretion by the local government under the scheme to vary the setback provisions of a specific zone;
- (ii) is outside an approved building envelope or within a building exclusion area;
- (iii) is within the Flood Risk Land Special Control Area;
- (iv) is within the Landscape Values Area;
- (v) is on a lot or location which does not have access to a dedicated and/or constructed road; or
- (vi) is inconsistent with an adopted Local Planning Policy.

Clause 61(1) (m)—the construction, replacement, maintenance or repair by a Government agency or statutory undertaking, of any equipment necessary to provide and maintain a public service.

Clause 61(1)(n)—the development on land within any zone by the local government or Government agency for the purposes of roads, stormwater drainage, recreation areas, landscaping, gardening, bushfire hazard reduction, parking, amenities building, river bank stabilisation or beach rehabilitation. This includes the carrying out of development for the purpose of roads includes a reference to the winning of extractive material by the local government for the purpose of public road construction.

Clause 61(1) (o)—the carrying out of any development by the local government in connection with the construction, reconstruction, improvement, maintenance, repair or widening (where the local government has acquired the land) of any road except the realignment or relocation of the road.

Clause 61(1) (p)—the erection or installation of such incidental structures which includes—

- (i) a dog house, domestic animal enclosure, bird enclosure or a cubby house which does not exceed 3.0 metres in height above natural ground level and does not have any part of its structure located within 1.0 metres of the boundary with an adjacent lot;
- (ii) a tree house which as a structure that does not exceed 3.0 metres in height, does not have a floor area greater than 4.0m<sup>2</sup> and is constructed in a tree on a lot used for residential purposes;
- (iii) a flag pole which does not exceed 6.0 metres in height above natural ground level;
- (iv) any pole, tower or device used solely for the purpose of providing outdoor lighting which is constructed on a lot used for residential purposes and no more than 6.0 metres in height above natural ground level;
- (v) swimming pools;
- (vi) landscaping;
- (vii) letter boxes;
- (viii) clothes lines;
- (ix) unless the building is within a Heritage Area or included within the Heritage List of the Scheme, the installation of solar panels where such structures do not protrude above the surface of the roof by more than 500mm or above the ridge of the roof of any building.

Clause 61(1) (q)—the erection of a boundary fence except where otherwise required by the Scheme and where the fence is consistent with Local Planning Policies.

Clause 61(1) (r)—the carrying out of works urgently required for public safety or for the safety or security of plant or equipment used in the provision of essential services.

Clause 61(1)(s)—except for development to which the Residential Design Codes apply, the minor filling, excavation or re-contouring of land provided there is no more than 0.9 metres change to the natural ground level, it is not within flood risk land or except where otherwise required by the Scheme.

Clause 61(1)(t)—except for development to which the Residential Design Codes apply, retaining walls less than 0.9 metres in height unless the site is located in or referred to in a Local Planning Policy which specifically addresses requirements for retaining walls.

Clause 61(1) (u)—rainwater tanks.

Clause 61(1) (v)—aquaculture proposals involving the use of existing dams where no structural works are proposed.

Clause 61(1) (w)—effluent disposal systems where they comply with Scheme requirements and relevant legislation; air conditioning systems and LPG gas tanks for domestic purposes where they comply with relevant legislation.

Clause 61(1)(x)—satellite dishes and other domestic telecommunication installation unless it does not comply with any relevant adopted standards outlined in a Local Planning Policy or is located within a Heritage Area.

Clause 61(1)(y)—telecommunication infrastructure which is listed as low impact in the Telecommunications Low Impact Facilities Determination 1997 and subsequent amendments to that Determination.

Clause 61(1)(z)—dams, where the dam—

- (i) has been approved or does not require approval from any State Government agency or authority; and
- (ii) the external foot of the dam wall and any other part of the dam including the stored water is further than 20 metres from the boundaries of the subject lot.

Clause 61(1) (za)—the erection of placement of a temporary sea container and/or donga, where the structure would be consistent with the provisions of a Local Planning Policy.

Clause 61(1) (zb)—agroforestry provided no more than 4 hectares of planting occurs on any lot or location.

12. Amending the following clauses by removing the cross reference to the clause deleted by the amendment and replace them with cross reference to deemed provisions set out in Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*—
  - Clauses 3.3.1(b), 3.3.2(a), 4.3.2, 4.3.4, 4.4.2(b), 4.8(c), 4.9.1, 4.13.10.5(c), 5.6.2(a), 5.6.3(a), 5.8.2.1, 6.1, 6.2.4.3;
  - Schedule 4 SU9; and
  - Schedule 4 SU12.
13. Renumbering the remaining scheme provisions and schedules sequentially and update any cross referencing to the new clause numbers as required.
14. Updating the Table of Contents.
15. Inserting the following under Schedule A—Supplemental Provisions—
 

Clause 61(2) (g)—the use of land in a reserve, where such land is vested in the local government or vested in a Public Authority—

  - (i) for the purpose for which the land is reserved under the Scheme; or
  - (ii) in the case of land vested in a public authority, for any purpose for which land may be lawfully used by that authority.

Clause 61(2) (h)—‘agriculture—extensive’ and ‘agriculture—intensive’ in the Agriculture, Agriculture Priority 1—Scott Coastal Plain and Agriculture Priority 2 zones.

Clause 61(2) (i)—‘rural pursuit’ in all zones where it is a ‘P’ (permitted use).
16. Correcting spelling errors and other grammatical errors, including the inadvertent omission of words, where necessary.

T. DEAN, President.  
P. CLARKE, Chief Executive Officer.

## PL404

**PLANNING AND DEVELOPMENT ACT 2005**  
APPROVED LOCAL PLANNING SCHEME AMENDMENT  
*City of Wanneroo*  
Local Planning Scheme No. 2—Amendment No. 157

Ref: TPS/1874

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 Wanneroo Local Planning Scheme amendment on 13 March 2018 for the purpose of—

1. Deleting the following from clause 3.2.2: ‘The Special Use Zone, Marina Zone, Urban Development Zone, Industrial Development Zone, Rural Community Zone and Centre Zone are not listed in Table 1 and the permissibility of uses in those zones is to be determined by the provisions specifically applying to them in the Scheme or in any Agreed Structure Plan approved under Part 9’.
2. Including new clause 3.2.3: ‘If the zoning table does not identify any permissible uses for land in a zone the local government may, in considering an application for development approval for land within the zone, have due regard to any of the following plans that apply to the land—
  - (a) A structure plan;
  - (b) An activity centre plan;
  - (c) A local development plan.’
3. Including new clause 3.2.4: ‘Notwithstanding clause 3.2.3 and any other provision of the scheme, for land which is subject to clause 3.2.3 and a Structure Plan or Activity Centre Plan referred to in Schedule 16 of the scheme, the local government shall determine the permissibility of uses in accordance with the use permissibility provisions for that land included in Schedule 16;.’
4. Renumbering clause 3.2.3 to 3.2.5 to clause 3.2.4 to 3.2.6.

5. Delete existing Clause 3.13.3 and replace with new Clause 3.13.3: 'Subject to Clause 43 of the deemed provisions, no subdivision (including strata or survey strata subdivision) or other development should be commenced or carried out in a Centre Zone until an Activity Centre Plan has been prepared and adopted under the provisions of Part 5 of the deemed provisions of the Scheme. No subdivision (including strata or survey strata subdivision) should be carried out and no development shall be commenced or carried out otherwise than in conformity with an Activity Centre Plan which is in existence at the time the application for approval of the subdivision or other development is received by the responsible authority'.
6. Delete existing Clause 3.13.4 and replace with new Clause 3.13.4: 'The permissibility of uses in the Centre Zone subject to Clause 43 of the deemed provisions shall be determined in accordance with the provisions of the relevant Activity Centre Plan'.
7. Modifying clauses 3.10.3(b), 3.13.4, 3.14.4, 3.15.4 and 3.23.4 to replace the words 'in accordance with' to 'with regard to'.
8. Amending the Scheme Map to designate the land subject to the Yanchep City Centre Activity Centre Plan No. 100 with a density code of R-AC0.
9. Insert Schedule 16 (Clause 3.2.4)—Land Use Permissibility for Structure Plan and Activity Centre Plans as follows—  
Schedule 16 (clause 3.2.4)—Land Use Permissibility for Structure Plans and Activity Centre Plans.

Structure Plan/Activity Centre Plan	Use Permissibility Provisions		
Yanchep City Centre Activity Centre Plan No. 100	Designation of land identified in Structure Plan Map as Precincts 1 to 4.		
	<b>Table 1—Precinct 1 Land Use Permissibility Table</b>		
	'P' Uses	'D' Uses	'A' Uses
	Amusement Facility/Parlour Art Gallery Auction Room Bakery Bank Beauty Parlour Cinema Cinema Complex Civic Building Consulting Room Corner Store Costume Hire Department Store Hairdresser Home Business—Cat 1 Home Business—Cat 2 Home Business—Cat 3 Hotel Laundromat Medical Centre Multiple Dwelling Office Park Pharmacy Public Exhibition Centre Reception Centre Restaurant Shop Supermarket Take Away Food Outlet Theatre Video Hire	Car Park Child Care Centre Club (non-residential) Display Home Centre Dry Cleaning Premises Education Establishment Hall Market (retail) Mast or Antenna Motel Night Club Place of Assembly Place of Worship Restricted Premises Small Bar Stall-General Telecommunications Infrastructure Trade Display	Liquor Store Tavern
	Notes—		
	1. Land uses not listed in Table 2, which are listed as 'X' uses under the Scheme in the Commercial zone, are 'X' uses within the Precinct. Land uses listed in the Scheme in the Commercial zone as 'P', 'D' or 'A', but not listed in Table 1, or		

Structure Plan/Activity Centre Plan	Use Permissibility Provisions		
	<p>are unlisted in the Scheme, are to be considered in accordance with clause 3.3 of the Scheme (excepting 'Single House' which is 'X').</p> <ol style="list-style-type: none"> <li>2. Notwithstanding the provisions of Table 1, only non-residential development is permitted on the ground floor of buildings within Precinct 1.</li> <li>3. Small Bar means premises the subject of a small bar license granted under the <i>Liquor Control Act 1988</i>.</li> <li>4. Precinct land use permissibility is subject to the building typologies and associated development controls contemplated by the Yanchep City Centre Activity Centre Plan.</li> </ol>		
	<b>Table 2—Precinct 2 Land Use Permissibility Table</b>		
	'P' Uses	'D' Uses	'A' Uses
	Amusement Facility/Parlour Art Gallery Auction Room Bakery Bank Beauty Parlour Child Care Centre Cinema Cinema Complex Civic Building Consulting Room Corner Store Costume Hire Education Establishment Hairdresser Home Business—Cat 1 Home Business—Cat 2 Home Business—Cat 3 Hotel Kindergarten Laundromat Laundry Medical Centre Multiple Dwelling Office Park Pharmacy Public Exhibition Facility Reception Centre Recreation Centre Restaurant Shop Take Away Food Outlet Theatre Veterinary Consulting Rooms Veterinary Hospital Video Hire	Aged or Dependent Persons Dwelling Bed & Breakfast Car Park Club (non-residential) Dry Cleaning Premises Funeral Parlour Grouped Dwelling Hall Hardware Store Hospital Market (retail) Mast or Antenna Motel Night Club Nursing Home Open Air Display Place of Assembly Place of Worship Residential Building Restricted Premises Retirement Village Showroom <sup>2</sup> Single House Small Bar Stall-General Telecommunications Infrastructure Trade Display	Liquor Store Tavern
	Notes— <ol style="list-style-type: none"> <li>1. Land uses not listed in Table 2, which are listed as 'X' uses under the Scheme in the Mixed Use zone, are 'X' uses within the Precinct. Land uses listed in the Scheme in the Mixed Use zone as 'P', 'D' or 'A', but not listed in Table 2, or are unlisted in the Scheme, are to be considered in accordance with clause 3.3 of the Scheme.</li> </ol>		



Structure Plan/Activity Centre Plan	Use Permissibility Provisions								
	<p>2. Notwithstanding the provisions of Table 2, 'showroom' is only a permitted use where the gross retail floorspace does not exceed 400m<sup>2</sup>.</p> <p>3. Small Bar means premises the subject of a small bar license granted under the <i>Liquor Control Act 1988</i>.</p> <p>4. Precinct land use permissibility is subject to the building typologies and associated development controls contemplated by the Yanchep City Centre Activity Centre Plan.</p>								
	<b>Table 3—Precinct 3 Land Use Permissibility Table</b>								
	<table border="1"> <thead> <tr> <th data-bbox="579 573 890 611">'P' Uses</th> <th data-bbox="890 573 1193 611">'D' Uses</th> <th data-bbox="1193 573 1401 611">'A' Uses</th> </tr> </thead> <tbody> <tr> <td data-bbox="579 611 890 896">           Consulting Room            Corner Store            Hospital            Lunch Bar            Medical Centre            Office            Park            Pharmacy            Recreation Centre         </td> <td data-bbox="890 611 1193 1680">           Amusement Facility/Parlour            Art Gallery            Bakery            Bank            Beauty Parlour            Car Park            Child Care Centre            Cinema            Civic Building            Club (non-residential)            Dry Cleaning Premises            Education Establishment            Hall            Hotel            Laundromat            Laundry            Mast or Antenna            Multiple Dwelling            Place of Assembly            Place of Worship            Private Recreation            Public Exhibition Facility            Reception Centre            Recreation Centre            Residential Building            Shop<sup>2</sup>            Small Bar            Special Place of Assembly            Take Away Food Outlet            Telecommunications Infrastructure         </td> <td data-bbox="1193 611 1401 1680">           Liquor Store            Tavern         </td> </tr> </tbody> </table>	'P' Uses	'D' Uses	'A' Uses	Consulting Room Corner Store Hospital Lunch Bar Medical Centre Office Park Pharmacy Recreation Centre	Amusement Facility/Parlour Art Gallery Bakery Bank Beauty Parlour Car Park Child Care Centre Cinema Civic Building Club (non-residential) Dry Cleaning Premises Education Establishment Hall Hotel Laundromat Laundry Mast or Antenna Multiple Dwelling Place of Assembly Place of Worship Private Recreation Public Exhibition Facility Reception Centre Recreation Centre Residential Building Shop <sup>2</sup> Small Bar Special Place of Assembly Take Away Food Outlet Telecommunications Infrastructure	Liquor Store Tavern		
'P' Uses	'D' Uses	'A' Uses							
Consulting Room Corner Store Hospital Lunch Bar Medical Centre Office Park Pharmacy Recreation Centre	Amusement Facility/Parlour Art Gallery Bakery Bank Beauty Parlour Car Park Child Care Centre Cinema Civic Building Club (non-residential) Dry Cleaning Premises Education Establishment Hall Hotel Laundromat Laundry Mast or Antenna Multiple Dwelling Place of Assembly Place of Worship Private Recreation Public Exhibition Facility Reception Centre Recreation Centre Residential Building Shop <sup>2</sup> Small Bar Special Place of Assembly Take Away Food Outlet Telecommunications Infrastructure	Liquor Store Tavern							
	<p>Notes—</p> <p>1. Land uses not listed in Table 3, which are listed as 'X' uses under the Scheme in the Business zone, are 'X' uses within the Precinct. Land uses listed in the Scheme in the Business zone as 'P', 'D' or 'A', but not listed in Table 3, or are unlisted in the Scheme, are to be considered in accordance with clause 3.3 of the Scheme. (excepting 'Single House' which is 'X').</p> <p>2. Notwithstanding the provisions of Table 3, 'shop' is only a permitted use where the gross retail floorspace does not exceed 300m<sup>2</sup>.</p> <p>3. Small Bar means premises the subject of a small bar license granted under the <i>Liquor Control Act 1988</i>.</p> <p>4. Precinct land use permissibility is subject to the building typologies and associated development controls contemplated by the Yanchep City Centre Activity Centre Plan.</p>								

Structure Plan/Activity Centre Plan	Use Permissibility Provisions		
	<b>Table 4—Precinct 4 Land Use Permissibility Table</b>		
	‘P’ Uses	‘D’ Uses	‘A’ Uses
	Amusement Facility/Parlour Art Gallery Auction Room Bakery Bank Car Wash Consulting Room Convenience Store Corner Store Costume Hire Drive Through Food Outlet Dry Cleaning Premises Hardware Store Hire Service Laundromat Laundry Lunch Bar Medical Centre Office Open Air Display Pharmacy Public Exhibition Facility Recreation Centre Restaurant Road House Service Station Showroom Take Away Food Outlet Veterinary Consulting Rooms Veterinary Hospital Video Hire	Beauty Parlour Car Park Child Care Centre Civic Building Club (non-residential) Education Establishment Factory Unit Funeral Parlour Hairdresser Hall Hotel Landscape Supplies Market (retail) Mast or Antenna Motel Motor Vehicle Repairs Place of Assembly Place of Worship Plant Nursery Private Research Reception Centre Residential Building Restricted Premises Shop <sup>2</sup> Stall-General Telecommunications Infrastructure Trade Display Warehouse	Liquor Store Tavern
	Notes—		
	<ol style="list-style-type: none"> <li>1. Land uses not listed in Table 4, which are listed as ‘X’ uses under the Scheme in the Business zone, are ‘X’ uses within the Precinct. Land uses listed in the Scheme in the Business zone as ‘P’, ‘D’ or ‘A’, but not listed in Table 4, or are unlisted in the Scheme, are to be considered in accordance with clause 3.3 of the Scheme (excepting ‘Single House’ which is ‘X’).</li> <li>2. Notwithstanding the provisions of Table 4, ‘shop’ is only permitted in Precinct 4 where the gross retail floor space of the shop exceeds 300m<sup>2</sup>.</li> <li>3. Precinct land use permissibility is subject to the building typologies and associated development controls contemplated by the Yanchep City Centre Activity Centre Plan.</li> </ol>		

T. ROBERTS, Mayor.  
D. SIMMS, Chief Executive Officer.

PL405

**PLANNING AND DEVELOPMENT ACT 2005**  
AMENDMENT TO INSTRUMENT OF DELEGATION

Amendment to Delegation to Officers of certain powers and functions of the  
Western Australian Planning Commission

Under section 16 of the *Planning and Development Act 2005* (the Act) the Western Australian Planning Commission (the WAPC) may, by resolution published in the *Government Gazette*, delegate any function to a member, committee or officer of the WAPC or to a public authority or a member or officer of a public authority.

In accordance with section 16(4) of the Act, a reference in this instrument to a function or a power of the WAPC includes and extends to, without limitation or restriction, any of the powers, privileges, authorities, discretions, duties and responsibilities vested in or conferred upon the WAPC by the Act or any other written law as the case requires.

### Resolution under s16 of the Act (delegation)

On X, pursuant to section 16 of the Act, the WAPC RESOLVED—

- A. TO DELEGATE its powers and functions as set out in column 1 of the attached Schedule to officers of the WAPC and the person or persons from time to time holding or acting in the offices in the department charged with the administration of the *Planning and Development Act 2005*, as specified in column 2 of the attached Schedule, subject to the conditions specified in column 3 of the attached Schedule;
- B. TO AMEND the Instrument of Delegation “Delegation to Officers of Certain Powers and Functions of the Western Australian Planning Commission 2012/02” published in the *Government Gazette* on 16 October 2016 (and as amended) to give effect to this delegation as set out in the attached Schedule.

KERRINE BLENKINSOP, Secretary,  
Western Australian Planning Commission.

## PLANNING AND DEVELOPMENT ACT 2005

### Amendment to Instrument of Delegation

#### SCHEDULE

#### Schedule 12

Instrument	Column 1—Powers and functions	Column 2—Delegate	Column 3—Conditions
<b>SCHEDULE 12—Powers and functions concerning the Anketell Strategic Industrial Area Improvement Scheme.</b>			
General delegations	12.1 Where such power is conferred upon the WAPC, power to amend the manner and form of any document referred to, required by or provided under the Anketell Strategic Industrial Area Improvement Scheme (“the Scheme”).	<ul style="list-style-type: none"> <li>Chairman of the WAPC</li> <li>Director General</li> </ul>	Limited to amendments of an administrative nature.
	12.2 Power to set or amend a timeframe, or stipulate a date, under the Scheme, where such power is conferred upon the WAPC.	<ul style="list-style-type: none"> <li>Chairman of the WAPC</li> <li>Director General</li> <li>Assistant Director General, Land Use Planning</li> <li>Directors, Regional Planning</li> </ul>	
Improvement Policies (Pt. 2)	12.3 Power to amend an Improvement Scheme Policy	<ul style="list-style-type: none"> <li>Chairman of the WAPC</li> <li>Director General</li> <li>Assistant Director General, Land Use Planning</li> </ul>	Limited to administrative amendments that do not affect fundamental aspects of the policy.
	12.4 Power to determine, for the purpose of clause 16 (1) (b) of the Scheme, how to give notice of any Improvement Scheme Policy, or what other consultation would be appropriate.	<ul style="list-style-type: none"> <li>Chairman of the WAPC</li> <li>Director General</li> <li>Assistant Director General, Land Use Planning</li> <li>Directors and Managers, Regional Planning</li> </ul>	
Zones and uses (Pt. 3)	12.5 Power to determine, for the purposes of clause 26 of the Scheme, whether a proposed use is less detrimental to the amenity of a locality than an existing non-conforming use and whether the proposed use is closer to the intended purpose of a zone than the existing non-conforming use.	<ul style="list-style-type: none"> <li>Chairman of the WAPC</li> <li>Director General</li> <li>Assistant Director General, Land Use Planning</li> <li>Directors and Managers, Regional Planning</li> </ul>	
	12.6 Power to perform the function under clause 27 of the Scheme, to prepare and maintain a register of non-conforming uses.	<ul style="list-style-type: none"> <li>Directors and Managers, Regional Planning</li> </ul>	
General development requirements (Pt. 4)	12.7 Power to form an opinion as to whether non-compliance with an additional site and development requirement will mean that a development is likely to adversely affect any owners or occupiers in the general locality or in an area adjoining the site of a development (cl. 28 of the Scheme).	<ul style="list-style-type: none"> <li>Chairman of the WAPC</li> <li>Director General</li> <li>Assistant Director General, Land Use Planning</li> <li>Directors and Managers, Regional Planning</li> </ul>	

Instrument	Column 1—Powers and functions	Column 2—Delegate	Column 3—Conditions
Req. For DA (Pt. 6)	12.8 Power to determine, under clause 32, development for which approval under the Scheme is not required.	<ul style="list-style-type: none"> <li>• Chairman of the WAPC</li> </ul>	
Form of DA application (Pt. 7)	12.9 Power to— a. identify any information or material that should accompany an application for development approval; b. waive or vary the requirements as to what material must accompany such an application. (cl. 34 of the Scheme).	<ul style="list-style-type: none"> <li>• Assistant Director General, Land Use Planning</li> <li>• Directors and Managers, Regional Planning</li> </ul>	
	12.10 Power to determine whether a use is consistent with the objective of a zone and that notice of the application should be given (cl.35 (1)(b) of the Scheme).		
	12.11 Power to determine a departure from the Scheme's requirements is minor and to waive the requirement for advertising a development application. (cl.35 (2) of the Scheme).		
	12.12 Power to identify, for the purposes of clause 35 (3) (a) of the Scheme, owners and occupiers likely to be affected by the grant of development approval.		
Determining DA's (Pt. 8)	12.13 Power to identify authorities that may be affected by a development application. (cl. 37 of the Scheme).	<ul style="list-style-type: none"> <li>• Assistant Director General, Land Use Planning</li> <li>• Directors and managers, Regional Planning</li> </ul>	
	12.14 Power to perform the functions and exercise the powers of the WAPC under clause 30 and Part 8 of the Scheme, to determine— a. applications made for approval to commence and carry out development, provided such determination would accord with the objectives and intent of any policies (if any) of the WAPC; b. applications to amend or cancel development approval, provided the original decision was made under delegation.	<ul style="list-style-type: none"> <li>• Chairman of the WAPC</li> <li>• Director General</li> <li>• Assistant Director General, Land Use Planning</li> </ul>	Excluding applications of State or regional significance
		<ul style="list-style-type: none"> <li>• Directors, Regional Planning</li> <li>• Managers, Regional Planning</li> </ul>	Excluding applications of State or regional significance Excluding applications which the port authority or local government express an objection to. Excluding applications of State or regional significance Excluding applications which the port authority or local government express an objection to. Where the application has a monetary value, limited to applications with a value of up to \$50 million and excludes the power to refuse approval. Excludes the power to refuse an application to amend approval.
Enforcement and WAPC Powers (Pt. 10)	12.15 Power to perform the functions and exercise the powers of the WAPC under clause 54 of the Scheme.	<ul style="list-style-type: none"> <li>• Chairman of the WAPC</li> <li>• Director General</li> <li>• Assistant Director General, Land Use Planning</li> <li>• Assistant Director General, Business Corporate Support</li> <li>• Chief Property Officer</li> </ul>	Function to be exercised having due regard to any published WAPC policy. Excluding matters where the WAPC has or will make a financial contribution, or has a financial interest.
	12.16 Power to designate an officer for the purposes of clause 55, who may enter and inspect property within the Scheme area.	<ul style="list-style-type: none"> <li>• Chairman of the WAPC</li> <li>• Director General</li> <li>• Assistant Director General, Land Use Planning</li> </ul>	The designation must be made by a formal written instrument, such as a memorandum or letter.
	12.17 Power under clause 56 of the Scheme, to require repair to an advertisement.	<ul style="list-style-type: none"> <li>• Chairman of the WAPC</li> <li>• Director General</li> <li>• Assistant Director General, Land Use Planning</li> <li>• Directors and managers, Regional Planning</li> </ul>	

**PL406****PLANNING AND DEVELOPMENT ACT 2005****AMENDMENT TO INSTRUMENT OF DELEGATION—POWERS OF OFFICERS**

Notice of amendment to the Instrument of Delegation to committees of certain functions of the Western Australian Planning Commission, as gazetted on 16 October 2015 and as amended.

**Preamble**

Under section 16 of the *Planning and Development Act 2005* (the Act), the Western Australian Planning Commission (WAPC) may, by resolution published in the *Government Gazette*, delegate any function to a member, committee or officer of the WAPC or to a public authority or to a member or officer of a public authority.

In accordance with section 16 (4) of the Act, a reference in this instrument to a function or power of the WAPC includes and extends to, without limitation or restriction, any of the powers, privileges, authorities, discretions, duties and responsibilities vested in or conferred on the WAPC by the Act or any other written law as the case requires.

**Resolution under section 16 of the Act (delegation)**

On 28 March 2018 pursuant to section 16 of the Act, the WAPC resolved—

- A. To amend the Instrument of Delegation 2012/02 Delegation to officers of certain powers and functions of the Western Australian Planning Commission as gazetted on 16 October 2015 (and as amended), as set out in Schedule 1 below.

KERRINE BLENKINSOP, Secretary,  
Western Australian Planning Commission.

**Schedule 1****Instrument of delegation amended**

The amendments within this Schedule are to the Schedules set out in the Instrument of Delegation 2012/02—Delegation to officers of certain powers and functions of the Western Australian Planning Commission as gazetted on 16 October 2015, and as amended.

**Amendments to clause 10.14(b) in Schedule 10 (page 4193)**

The words “and the recommendation is to approve the request” are deleted.

**Amendments to clause 11.23(b) in Schedule 11 (page 1399)**

The words “and the recommendation is to approve the request” are deleted.

**PL407****PLANNING AND DEVELOPMENT ACT 2005****AMENDMENT TO INSTRUMENT OF DELEGATION—POWERS OF COMMITTEES**

Notice of amendment to the Instrument of Delegation to committees of certain functions of the Western Australian Planning Commission, as gazetted on 21 February 2017 and as amended.

**Preamble**

Under section 16 of the *Planning and Development Act 2005* (the Act), the Western Australian Planning Commission (WAPC) may, by resolution published in the *Government Gazette*, delegate any function to a member, committee or officer of the WAPC or to a public authority or to a member or officer of a public authority.

In accordance with section 16 (4) of the Act, a reference in this instrument to a function or power of the WAPC includes and extends to, without limitation or restriction, any of the powers, privileges, authorities, discretions, duties and responsibilities vested in or conferred on the WAPC by the Act or any other written law as the case requires.

**Resolution under section 16 of the Act (delegation)**

On 28 March 2018 pursuant to section 16 of the Act, the WAPC resolved—

- A. To amend the Instrument of Delegation to Committees of certain functions of the Western Australian Planning Commission as gazetted on 21 February 2017 (and as amended), as set out in Schedule 1 below to give effect to this delegation.

KERRINE BLENKINSOP, Secretary,  
Western Australian Planning Commission.

### Schedule 1

#### 1. Instrument of delegation amended

The amendments within this Schedule are to the Schedule set out in the Instrument of Delegation to committees of certain functions of the Western Australian Planning Commission, as gazetted on 21 February 2017, and as amended.

#### 2. Amendments to page 1395

- (a) The following is inserted immediately after section 5 in the table which concerns the Central Perth Planning Committee—

6. Bunbury Development Committee	6.1. All functions of the WAPC as set out in section 14 (a) (i) of the Act.
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PL408

### PLANNING AND DEVELOPMENT ACT 2005

#### AMENDMENT TO INSTRUMENT OF DELEGATION—POWERS OF OFFICERS

Notice of amendment to the Instrument of Delegation to committees of certain functions of the Western Australian Planning Commission, as gazetted on 16 October 2015 and as amended.

#### Preamble

Under section 16 of the *Planning and Development Act 2005* (the Act), the Western Australian Planning Commission (WAPC) may, by resolution published in the *Government Gazette*, delegate any function to a member, committee or officer of the WAPC or to a public authority or to a member or officer of a public authority.

In accordance with section 16 (4) of the Act, a reference in this instrument to a function or power of the WAPC includes and extends to, without limitation or restriction, any of the powers, privileges, authorities, discretions, duties and responsibilities vested in or conferred on the WAPC by the Act or any other written law as the case requires.

#### Resolution under section 16 of the Act (delegation)

On 28 March 2018 pursuant to section 16 of the Act, the WAPC resolved—

- A. To amend the Instrument of Delegation 2012/02 Delegation to officers of certain powers and functions of the Western Australian Planning Commission as gazetted on 16 October 2015 (and as amended), as set out in Schedule 1 below.

KERRINE BLENKINSOP, Secretary,  
Western Australian Planning Commission.

### Schedule 1

#### 1. Instrument of delegation amended

The amendments within this Schedule are to the Schedules set out in the Instrument of Delegation 2012/02—Delegation to officers of certain powers and functions of the Western Australian Planning Commission as gazetted on 16 October 2015, and as amended.

#### 2. Amendment to whole instrument

Any reference to the title “Senior Planning Officer, South West Statutory Planning” are deleted and replaced with the title “Principal Planning Officer, South West Statutory Planning.”

#### 3. Amendment to Schedule 9

The following row is inserted into to Schedule 9 after item 9.25—

9.26	Such powers and functions as are necessary to maintain the Commission's properties, including the power to evict tenants or appear in relation to matters concerning the <i>Residential Tenancies Act 1987</i> .	<ul style="list-style-type: none"> <li>• Assistant Director General, Business and Corporate Support</li> <li>• Chief Property Officer</li> <li>• Manager, Acquisitions, Management, Disposals.</li> <li>• Rental Management Officer</li> </ul>	
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**4. Amendment to Schedule 1**

The following row is inserted into to Schedule 1 after item 1.5—

<p>1.5A power under r67 of the <i>LPS Regulations</i> to—</p> <p>a. decide whether the Commission agrees or disagrees with the recommendations contained in a report submitted to it under r66 of the LPS Regulations; and</p> <p>b. notify the local government of this decision.</p>	<ul style="list-style-type: none"> <li>• Chairman of the WAPC</li> <li>• Assistant Director General, Land Use Planning</li> </ul>	<p>Confined to matters where the recommendations of the local government can be objectively supported.</p>
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**PL409**

**PLANNING AND DEVELOPMENT ACT 2005**  
**APPROVED LOCAL PLANNING SCHEME AMENDMENT**  
*Shire of Capel*  
 Local Planning Scheme No. 7—Amendment No. 64

Ref: TPS/1881

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 13 March 2018 for the purpose of—

1. Rezoning portions of 'No Zone' within part Lot 1181 and part Lot 9001 to Residential R20 and the recoding of the R30 to R20.
2. Amending the Scheme Map accordingly; and
3. Modify Appendix 15 'Residential Precincts'—Precinct No. 3 of the Scheme Text, in regards to the 'Development Standards' column by—
  - i. Development Standard 1 replace 'any modification to the guide plan as endorsed by the Local Government and the Western Australian Planning Commission' with 'any structure plan approved by the Western Australian Planning Commission'.
  - ii. Development Standards 9 and 10 replace 'Department of Environment and Conservation' with 'Department of Biodiversity Conservation and Attractions'.
  - iii. Development Standard 11 replace 'Department of Environment, Water and Catchment Protection' with 'Department of Water and Environmental Regulation'.
  - iv. Development Standard 13 replace 'Department of Industry and Resources' with 'Department of Mines, Industry Regulation and Safety'.
  - v. Development Standard 17 replace 'Fire and Emergency Authority' and 'FESA' with 'Department of Fire and Emergency Services' and 'DFES'.
  - vi. Development Standard 17 replace the word 'Fire' in context to 'Fire Management Plan' with 'Bushfire'.

M. SCOTT, President.  
 P. SHEEDY, Chief Executive Officer.

**PL410**

**PLANNING AND DEVELOPMENT ACT 2005**  
**APPROVED LOCAL PLANNING SCHEME AMENDMENT**  
*City of Canning*  
 Local Planning Scheme No. 17A—Amendment No. 8

Ref: TPS/2061

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 Canning Local Planning Scheme amendment on 13 March 2018 for the purpose of—

1. Amending the designation of the following properties from 'Service Station', '2 Grouped Dwellings', 'Grouped/Multiple Dwellings' and 'Single or Grouped Dwelling R17.5' to 'Centre'—
  - (1) 140-142 Wharf Street (Lot 11), Cannington;
  - (2) 144 Wharf Street (Lot 20), Cannington;
  - (3) 148 Wharf Street (Lot 50), Cannington;

- (4) 152 Wharf Street (Lot 63), Cannington;
  - (5) 8 Iona Place (Lot 64), Cannington;
  - (6) 6 Iona Place (Lot 65), Cannington;
  - (7) 4 Iona Place (Lot 66), Cannington;
  - (8) 2 Iona Place (Lot 67), Cannington;
  - (9) 1 Iona Place (Lot 68), Cannington;
  - (10) 3 Iona Place (Lot 69), Cannington;
  - (11) 5 Iona Place (Lot 70), Cannington;
  - (12) 7 Iona Place (Lot 61), Cannington;
  - (13) 117 George Way (Lot 62), Cannington;
  - (14) 1 Holton Way (Lot 68), Cannington;
  - (15) 3 Holton Way (Lot 69), Cannington;
  - (16) 5 Holton Way (Lot 70), Cannington;
  - (17) 7 Holton Way (Lot 71), Cannington;
  - (18) 9 Holton Way (Lot 72), Cannington;
  - (19) 11 Holton Way (Lot 73), Cannington;
  - (20) 13 Holton Way (Lot 74), Cannington;
  - (21) 178 Wharf Street (Lot 40), Cannington;
  - (22) 180 Wharf Street (Lot 84), Cannington;
  - (23) 182 Wharf Street (Lot 85), Cannington;
  - (24) 184 Wharf Street (Lot 37), Cannington;
  - (25) 6 Toledo Close (Lot 86), Cannington;
  - (26) 8 Toledo Close (Lot 88), Cannington;
  - (27) 186 Wharf Street (Lot 160), Cannington;
  - (28) 188 Wharf Street (Lot 15), Cannington;
  - (29) 190 Wharf Street (Lot 14), Cannington;
  - (30) 3 Toledo Close (Lot 17), Cannington;
  - (31) 5 Toledo Close (Lot 18), Cannington;
  - (32) 7 Toledo Close (Lot 19), Cannington;
  - (33) 194 Wharf Street (Lot 102), Cannington;
  - (34) 225 Sevenoaks Street (Lot 11), Cannington;
  - (35) 223 Sevenoaks Street (Lot 10), Cannington;
  - (36) 221 Sevenoaks Street (Lot 9), Cannington;
  - (37) 219 Sevenoaks Street (Lot 8), Cannington.
2. Amending the designation of properties bound by Holton Way, George Way and Wharf Street from '2 Grouped Dwellings', 'Grouped/Multiple Dwellings' and 'Single or Grouped Dwellings R17.5' to 'Centre'.
  3. Inserting the following designation into the Scheme legend and applying the styling and hatching from the *Planning and Development (Local Planning Schemes) Regulations 2015*—
    - (1) Drainage/Waterway; and
    - (2) Residential.
  4. Amending all remaining properties with a designation of '2 Grouped Dwellings', 'Grouped/Multiple Dwellings' and 'Single or Grouped Dwellings R17.5' to 'Residential'.
  5. Amending the styling and hatching of the designation of 'Public Open Space' to match that in the *Planning and Development (Local Planning Schemes) Regulations 2015*.
  6. Amending the designation of 'Civic & Cultural' to 'Civic and Community' and updating the styling and hatching to match the *Planning and Development (Local Planning Schemes) Regulations 2015*.
  7. Amending the designation of 'Important Regional Road' to 'Other Regional Roads' and updating the styling and hatching to match the Metropolitan Region Scheme.
  8. Amending the designation of all properties with a designation of 'Public Purposes' and annotated as 'Drain' to 'Drainage/Waterway'.
  9. Amending the designation of Lot 39 Wharf Street, Cannington and 77 George Way (Lot 81), Cannington from 'Public Purposes' to 'Drainage/Waterway'.
  10. Deleting the designation of 'Joint Accessway and/or Amalgamation' from the Scheme legend and all properties affected by the designation.
  11. Deleting the designation '2 Grouped Dwellings', 'Grouped/Multiple Dwellings', 'Single or Grouped Dwellings R17.5' and 'Service Station' from the Scheme legend.
  12. Amending the designation of Lot 50 Manley Street, Cannington from 'Public Purposes' to 'Public Open Space'.
  13. Removing the designation from the following—
    - (1) A portion of the laneway between Wharf Street and Mallard Way (Lot 66 Mallard Way, Cannington);
    - (2) 132 Mallard way (Lot 103), Cannington;



- (3) The laneway from Stockman Way to the back of properties facing Derisleigh Street (Lot 377 Stockman Way, Cannington and Lot 66 Derisleigh Street); and
  - (4) Lot 66 Toledo Close, Cannington.
14. Placing a designation of 'Public Open Space' over the following—
- (1) A portion of Lot 66 Dealy Close;
  - (2) Lot 5108 Stockman Way; and
  - (3) A portion of 40-46 Stockman Way, Cannington.
15. Updating the Scheme map accordingly.

P. NG, Mayor.  
A. KYRON, Chief Executive Officer.

**PL411**

**PLANNING AND DEVELOPMENT ACT 2005**  
APPROVED LOCAL PLANNING SCHEME AMENDMENT  
*City of Canning*  
Local Planning Scheme No. 40—Amendment No. 230

Ref: TPS/2060

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 Canning Local Planning Scheme amendment on 13 March 2018 for the purpose of—

1. Reclassifying a 454m<sup>2</sup> lot at the rear of 50 Wharf Street (Lot 148), Cannington from 'Residential' with a density code of R17.5/R40 to Local Authority Reserve for 'Local Park & Recreation Area'.
2. Rezoning the following properties from 'Residential' with a density code of R17.5/R40 to 'Centre'—
  - (1) 140-142 Wharf Street (Lot 11), Cannington;
  - (2) 144 Wharf Street (Lot 20), Cannington;
  - (3) 148 Wharf Street (Lot 50), Cannington;
  - (4) 152 Wharf Street (Lot 63), Cannington;
  - (5) 178 Wharf Street (Lot 40), Cannington;
  - (6) 180 Wharf Street (Lot 84), Cannington;
  - (7) 182 Wharf Street (Lot 85), Cannington;
  - (8) 184 Wharf Street (Lot 37), Cannington;
  - (9) 186 Wharf Street (Lot 16), Cannington;
  - (10) 194 Wharf Street (Lot 102), Cannington;
  - (11) 195 Wharf Street (Lot 219), Queens Park;
  - (12) 197 Wharf Street (Lot 220), Queens Park;
  - (13) 1 Iona Place (Lot 68), Cannington;
  - (14) 2 Iona Place (Lot 67), Cannington;
  - (15) 3 Iona Place (Lot 69), Cannington;
  - (16) 4 Iona Place (Lot 66), Cannington;
  - (17) 5 Iona Place (Lot 70), Cannington;
  - (18) 6 Iona Place (Lot 65), Cannington;
  - (19) 7 Iona Place (Lot 61), Cannington;
  - (20) 8 Iona Place (Lot 64), Cannington;
  - (21) 117 George Way (Lot 62), Cannington;
  - (22) 1 Holton Way (Lot 68), Cannington;
  - (23) 3 Holton Way (Lot 69), Cannington;
  - (24) 5 Holton Way (Lot 70), Cannington;
  - (25) 7 Holton Way (Lot 71), Cannington;
  - (26) 9 Holton Way (Lot 72), Cannington;
  - (27) 11 Holton Way (Lot 73), Cannington;
  - (28) 13 Holton Way (Lot 74), Cannington;
  - (29) 3 Toledo Close (Lot 17), Cannington;
  - (30) 5 Toledo Close (Lot 18), Cannington;
  - (31) 6 Toledo Close (Lot 86), Cannington;
  - (32) 7 Toledo Close (Lot 19), Cannington;
  - (33) 8 Toledo Close (Lot 88), Cannington;
  - (34) 219 Sevenoaks Street (Lot 8), Cannington.
  - (35) 221 Sevenoaks Street (Lot 9), Cannington;
  - (36) 223 Sevenoaks Street (Lot 10), Cannington;

- (37) 225 Sevenoaks Street (Lot 11), Cannington;
  - (38) 184 Railway Parade (Lot 232), Queens Park;
  - (39) 186 Railway Parade (Lot 233), Queens Park;
  - (40) 188 Railway Parade (Lot 234), Queens Park;
  - (41) 190 Railway Parade (Lot 235), Queens Park;
  - (42) 192 Railway Parade (Lot 236), Queens Park;
  - (43) 194-196 Railway Parade (Lot 4), Queens Park;
  - (44) 198 Railway Parade (Lot 3), Queens Park;
  - (45) 19 Fitzroy Street (Lot 189), Queens Park;
  - (46) 21 Fitzroy Street (Lot 191), Queens Park;
  - (47) 23 Fitzroy Street (Lot 192), Queens Park;
  - (48) 24 Fitzroy Street (Lot 3), Queens Park;
  - (49) 25 Fitzroy Street (Lot 193), Queens Park;
  - (50) 26 Fitzroy Street (Lot 4), Queens Park;
  - (51) 28 Fitzroy Street (Lot 5), Queens Park;
  - (52) 18 Renou Street (Lot 1), Queens Park;
  - (53) 20 Renou Street (Lot 2), Queens Park;
  - (54) 24 Renou Street (Lot 22), Queens Park;
  - (55) 28 Renou Street (Lot 217), Queens Park;
  - (56) 30 Renou Street (Lot 218), Queens Park;
  - (57) 6 Wellington Street (Lot 215), Queens Park;
  - (58) 8 Wellington Street (Lot 214), Queens Park;
  - (59) 10 Wellington Street (Lot 213), Queens Park.
3. Rezoning the properties bound by Wharf Street, Holton Way and George Way with the exception of 110 George Way (Lot 56), Lot 166 Holton Way and Lot 500 Holton Way from 'Residential' with a density code of R17.5/R40 and 'Private Clubs & Institutions' to 'Centre'.
  4. Reclassifying 110 George Way (Lot 56), Lot 166 Holton Way and Lot 500 Holton Way from 'Residential' with a density code of R17.5/R40 to Local Authority Reserve for 'Local Road'.
  5. Reclassifying Lot 300 Holton Way from 'Residential' with a density code of R17.5/R40 to Local Authority Reserve for 'Local Park & Recreation Area'.
  6. Rezoning 188 Wharf Street (Lot 15), Cannington and 190 Wharf Street (Lot 14), Cannington from 'Service Station' to 'Centre'.
  7. Rezoning a portion of 133 Treasure Road (Lot 1000), Queens Park, a portion of 140 Railway Parade (Lot 40), Queens Park and 140 Railway Parade (Lot 41), Queens Park from 'Centre' to 'Private Clubs & Institutions'.
  8. Reclassifying the following properties from 'Centre' to Local Authority Reserve for 'Local Road'—
    - (1) Portion of the laneway between Mallard Way and Wharf Street (Lot 66 Mallard Way, Cannington);
    - (2) 132 Mallard Way (Lot 103), Cannington;
    - (3) The laneway from Stockman Way to the back of properties facing Derisleigh Street (Lot 377 Stockman Way, Cannington and Lot 66 Derisleigh Street, Cannington); and
    - (4) Lot 66 Toledo Close, Cannington.
  9. Deleting subclause 4.14.1 'Dual Density Codings' and renumbering subsequent subclauses accordingly.
  10. Updating cross references throughout the Scheme text as required.
  11. Updating the Town Planning Scheme map accordingly.

P. NG, Mayor.  
A. KYRON, Chief Executive Officer.

PL412

**PLANNING AND DEVELOPMENT ACT 2005**  
**GREATER BUNBURY REGION SCHEME**  
 Resolution—Clause 13  
 Part Lot 75 Clarke Street, Burekup

Amendment 0052/13

File No.: RLS/0742/1

Notice is hereby given that in accordance with Clause 13 of the Greater Bunbury Region Scheme, the Western Australian Planning Commission resolved on 28 March 2018 to transfer land from the urban deferred zone to the urban zone at Part Lot 75 Clarke Street, Burekup as shown on plan number 4.1647.

Ms. SAM FAGAN, Secretary, Western Australian Planning Commission.

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## POLICE

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PO401

**ROAD TRAFFIC ACT 1974**  
**ROAD TRAFFIC CODE 2000**  
 AUTHORISED PERSONS

Declaration

Regulation 272 of the Road Traffic Code—Obedience to Police or Authorised Persons

I, Christopher John Dawson, Commissioner of Police, acting pursuant to regulation 271 of the *Road Traffic Code 2000* hereby declare that a person who is a “licensed pilot vehicle driver” pursuant to regulation 3 of the *Road Traffic Code 2000* is an authorised person for the purposes of regulations 272(1)(a) and 272(1)(d) of the *Road Traffic Code 2000*—whilst performing their functions in facilitating the safe movement of an oversize vehicle escorted by a licensed pilot vehicle driver.

Dated: 27 March 2018.

CHRIS DAWSON, Commissioner of Police.

Surname	First Name	State	Pilot Licence Number	Training Provider
McArthur	Julie	WA	01086	Keen Bros (WA)

PO402

**ROAD TRAFFIC ACT 1974**  
**ROAD TRAFFIC CODE 2000**  
 AUTHORISED PERSONS

Declaration

Regulation 272 of the Road Traffic Code—Obedience to Police or Authorised Persons

I, Christopher John Dawson, Commissioner of Police, acting pursuant to regulation 271 of the *Road Traffic Code 2000* hereby declare that a person who is a “licensed pilot vehicle driver” pursuant to regulation 3 of the *Road Traffic Code 2000* is an authorised person for the purposes of regulations 272(1)(a) and 272(1)(d) of the *Road Traffic Code 2000*—whilst performing their functions in facilitating the safe movement of an oversize vehicle escorted by a licensed pilot vehicle driver.

Dated: 28 March 2018.

CHRIS DAWSON, Commissioner of Police.

Surname	First Name	State	Pilot Licence Number	Training Provider
Messina	Rodney	WA	01087	Employment Training Solutions

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## RACING, GAMING AND LIQUOR

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RA401

**LIQUOR CONTROL ACT 1988**  
 LIQUOR APPLICATIONS

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

Any person wishing to obtain more details about any application, or about the objection process, should contact Racing, Gaming and Liquor, Level 2, Gordon Stephenson House, 140 William Street, Perth, Telephone: (08) 6551 4888, or consult a solicitor or relevant industry organisation.

App. No.	Applicant	Nature of Application	Last Date for Objections
<b>APPLICATIONS FOR THE GRANT OF A LICENCE</b>			
A000254719	Abruzzo & Molise Sporting Club Inc	Application for the grant of a club restricted licence in respect of premises situated in Wattle Grove and known as Abruzzo & Molise Sporting Club Inc.	29/04/2018

App. No.	Applicant	Nature of Application	Last Date for Objections
APPLICATIONS FOR THE GRANT OF A LICENCE— <i>continued</i>			
A893762541	Palace Raine Square Pty Ltd	Application for the grant of a Special Facility Theatre licence in respect of premises situated in Perth and known as Palace Raine Square Pty Ltd.	22/04/2018
APPLICATIONS TO ADD, VARY OR CANCEL A CONDITION OF LICENCE			
A000255197	Claremont Hotel WA Pty Ltd	Application for the Variation of trading conditions for a Tavern licence in respect of premises situated in Claremont and known as The Claremont.	22/04/2018
A000256145	Anileena Pty Ltd	Application for the Variation of trading conditions for a Small Bar licence in respect of premises situated in Perth and known as The Painted Bird Bar & Kitchen.	10/04/2018

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

DIRECTOR OF LIQUOR LICENSING.

Dated: 29 March 2018.

## DECEASED ESTATES

ZX401

### TRUSTEES ACT 1962

#### DECEASED ESTATES

##### Notice to Creditors and Claimants

Any creditors having claims on the estate of the late Luigi Gotti of Aegis Parkview, 6 Drummond Street, Redcliffe, Western Australia, deceased 6 January 2018, are required to send particulars of their claims to Robert Peter Gotti, Executor, c/- Lynn & Brown Lawyers, PO Box 1114, Morley WA 6943 by 7 May 2018, after which date the executor may distribute the assets having regard only to the claims of which they then have notice.

ZX402

### TRUSTEES ACT 1962

#### DECEASED ESTATES

##### Notice to Creditors and Claimants

David Arthur Rickards, late of Apartment 2, 164 Baden Street, Joondanna, 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 David Arthur Rickards, late of Apartment 2, 164 Baden Street, Joondanna in the said State, who died on 13 March 2015, are required by the Trustee, Paul Leslie Hesford of 21 Parry Street, Fremantle in the said State to send particulars of their claims to him by 9 May 2018, after which the date the Trustee may convey or distribute the assets, having regard only to the claims of which he then has notice.

ZX404

### TRUSTEES ACT 1962

#### DECEASED ESTATES

##### Notice to Creditors and Claimants

Notice to debtors and creditors in the Estate of John Henry Grant, late of Merredin Caravan Tourist Park, Great Eastern Highway, Merredin, Western Australia, who died between 25 August 2017 and 28 August 2017, are required to send their claim to Administrator, Alan James Grant of 113 St Leonards Avenue, West Leederville, Perth WA, within 30 days of publication of this notice. After which the Administrator may convey or distribute the assets having regard only to the claims of which notice has been given

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

## Notice to Creditors and Claimants

Phyllis Amy Burke, late of 23 Bourke View, Jane Brook, Western Australia, Dental Nurse, 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 8 November 2017, are required by the Executor, being David Alan Earnshaw, to send particulars of their claims to him at PO Box 2235, Midland WA 6936, within one month of publication of this notice, after which date the Executor may convey or distribute the assets, having regard only to the claims of which he then has notice.

EARNSHAW &amp; ASSOCIATES.

**ZX405****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 Estate of Florian Immo Wenz, late of 33 Saint Sebastian Chase, Iluka, Western Australia, who died on 12 January 2018, are required by the Executor, Marie-Louise Polanski, to send to Solicitors for the Trustees, Templar Legal Pty Ltd, PO Box 8243, Subiaco WA 6008, particulars of such claims within 30 days of this notice. After such date, the Executor may convey or distribute the assets of the Estate having regard only to the claims of which the Trustee then has notice.

**ZX406****TRUSTEES ACT 1962**  
**DECEASED ESTATES**

## Notice to Creditors and Claimants

Ronald James Medhurst, late of 24/455 Pinjarra Road, Mandurah, 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 23 November 2017, are required by the Executor of the Estate, Gavan Louis Kelly, care of Kings Park Legal, 22 Altona Street, West Perth WA 6005 to send particulars of their claims to the above within one month from the date of the publication of this notice, after which date the Executor may convey or distribute the assets, having regard only to the claims of which it has notice.

Dated this 6th day of April 2018.

**ZX407****TRUSTEES ACT 1962**  
**DECEASED ESTATES**

## Notice to Creditors and Claimants

Joan Elizabeth de San Miguel, late of 36 Butler Street, Willagee, Western Australia, Retired, 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 28 October 2017, are required by the Executor, Equity Trustees Wealth Services Limited of Level 1, 575 Bourke Street, Melbourne, Victoria 3000 to send particulars of their claims to it, care of Tiziana Reiners, Equity Trustees Wealth Services Limited of Level 1, 575 Bourke Street, Melbourne, Victoria 3000 within one (1) month of the date of publication hereof, after which date the Executor may convey or distribute the assets having regard only to the claims of which the Executor then has notice.

Dated: 6 April 2018.

EQUITY TRUSTEES WEALTH SERVICES LIMITED as Executor.

ZX408

**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 6 May 2018, after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Burns, Maxwell Edward, late of Menora Gardens, 51 Alexander Drive, Menora, who died 08.11.2017 (DE33072947 EM13).

Frost, Douglas Athelstan, late of Madeley Care Centre, 95 Imperial Circuit, Madeley, who died 09.03.2018 (DE33015814 EM17).

Goddard, Lesley Janet, late of 77 Rampart Way, Willetton, who died 12.12.2017 (DE33107259 EM15).

Green, Hazel June, late of Bedingfield Lodge, 2-4 Bedingfield Road, Pinjarra, formerly of 894 Pinjarra Road, North Yunderup, who died 18.11.2017 (DE20001889 EM13).

MacKenzie, Maisie Venetia, late of Italian Community Nursing Home, 33 Kent Road, Marangaroo, who died 14.06.2011 (DE33050909 EM37).

Purdy, Lilian Sheila, late of Regents Garden Resort, 33 Drovers Place, Wanneroo, formerly of 24 Clarafield Meander, Tapping, who died 09.07.2017 (DE33075097 EM26).

Simpson, Marjorie, late of North Midlands Hospital Residential Aged Care, Thomas Street, Three Springs, who died 04.12.2017 (DE33140128 EM15).

BRIAN ROCHE, Public Trustee,  
553 Hay Street, Perth WA 6000.  
Telephone: 1300 746 212

ZX409

**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 the 6th day of April 2018.

BRIAN ROCHE, Public Trustee,  
553 Hay Street, Perth WA 6000.  
Telephone: 1300 746 212

<b>Name of Deceased</b>	<b>Address</b>	<b>Date of Death</b>	<b>Date Election Filed</b>
Bergeron, Olive Lottie (DE19831312 EM36)	Late of 10/74 Rockford Street, Mandurah, formerly of 21 Silver Gull Court, Busselton	9 November 2017	28 March 2018
White, Lawrence Edward (DE19982557 EM17)	Late of Juniper Ella Williams, 77 Camboon Road, Noranda, formerly of Unit 25C, 30 Winifred Road, Bayswater	19 October 2017	28 March 2018

**PUBLIC NOTICES**

ZZ401

**DISPOSAL OF UNCOLLECTED GOODS ACT 1970****DISPOSAL OF UNCOLLECTED GOODS**

Notice under Part II of Intention to Sell or Otherwise Dispose of Goods

To Robert Simpson of 20 Jane Brook Drive, Jane Brook, Bailor

1. You were given notice on 13 October 2017 that the following goods Ford BA Falcon 1EBJ252 situated at Auto Response, 177 O'Connor Road, Stratton WA 6056 were ready for redelivery.

2. The goods are prescribed goods to which Part II of the Act applies.
3. It is intended to sell or dispose of the goods in accordance with the Act unless not more than 1 month from the date of giving of this notice you either—
  - (a) take redelivery of the goods or give directions for their redelivery; or
  - (b) give notice in writing to Auto Response, 177 O'Connor Road, Stratton WA 6056 (Bailee) that you deny the goods are prescribed goods.

CHAD CONDIPODERO, Bailee.

Date 13 March 2018.

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