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Table with 2 columns: Description and Page. Includes Consumer and Employment Protection, Deceased Estates, Fisheries, Heritage, Justice, Local Government, Marine/Maritime, Minerals and Petroleum, Planning and Infrastructure, Racing, Gaming and Liquor, Regional Development.

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# — PART 1 —

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## PROCLAMATIONS

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AA101\*

**CRIMINAL INVESTIGATION ACT 2006**

No. 58 of 2006

PROCLAMATION

Western Australia

*By His Excellency**Doctor Kenneth Comminos Michael,  
Companion of the Order of Australia,  
Governor of the State of Western Australia*

[L.S.]

KENNETH COMMINOS MICHAEL  
Governor

I, the Governor, acting under the *Criminal Investigation Act 2006* section 2 and with the advice and consent of the Executive Council, fix the day after the day on which this proclamation is published in the *Government Gazette* as the day on which section 113 of that Act comes into operation.

Given under my hand and the Public Seal of the State on 15 July 2008.

By Command of the Governor,

JIM MCGINTY, Attorney General.

Note: Under the *Acts Amendment (Justice) Act 2008* section 2(c)(i), section 39 of that Act (which will replace the *Criminal Investigation Act 2006* section 113) will come into operation immediately after section 113 comes into operation by virtue of this proclamation.

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## SALARIES AND ALLOWANCES TRIBUNAL

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SX301\*

Salaries and Allowances Act 1975

### Salaries and Allowances Amendment Regulations 2008

Made by the Governor in Executive Council.

**1. Citation**

These regulations are the *Salaries and Allowances Amendment Regulations 2008*.

**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. The regulations amended**

The amendment in these regulations is to the *Salaries and Allowances Regulations 1975*.

**4. Regulation 3 amended**

The Schedule to regulation 3 is amended by deleting the item relating to the *Western Australian Coastal Shipping Commission Act 1965*.

By Command of the Governor,

M. C. WAUCHOPE, Clerk of the Executive Council.

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## — PART 2 —

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### CONSUMER AND EMPLOYMENT PROTECTION

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CE401\*

**ASSOCIATIONS INCORPORATION ACT 1987**

Section 35(4)

THE WESTERN AUSTRALIAN ESTONIAN ASSOCIATION OF PERTH—A0580066Z

Notice is hereby given that the incorporation of the above-named association has been re-instated pursuant to Section 35(4) of the *Associations Incorporation Act 1987*.

Dated: 18 July 2008.

ROBERT ALLEN, A/Director, Business Services  
for Commissioner for Consumer Protection.

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### FISHERIES

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FI401\*

**FISH RESOURCES MANAGEMENT ACT 1994**

PILBARA FISH TRAWL FISHERY (INTERIM) MANAGEMENT PLAN AMENDMENT 2008

FD 2234/99 [874]

Made by the Minister under section 54.

**1. Citation**

This instrument is the *Pilbara Fish Trawl Fishery (Interim) Management Plan Amendment 2008*.

**2. Management plan amended**

The amendments in this instrument are to the *Pilbara Fish Trawl Interim Managed Fishery Management Plan 1997\**.

**3. Clause 20 amended**

Clause 20 is amended—

- (a) in subclause (1a)(a) by deleting “0.56” in each place where it occurs and inserting instead—  
“0.28”; and
- (b) in subclause (1a)(d) by deleting “0.81” in each place where it occurs and inserting instead—  
“0.90”.

[\*Published in the *Gazette of 23 December 1997*.]

Dated this 18th day of July 2008.

KIM CHANCE, A/Minister for Fisheries.

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### HERITAGE

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HR401\*

**HERITAGE OF WESTERN AUSTRALIA ACT 1990**

RESOLUTION PURSUANT TO SECTION 22(1)

Delegation of Functions

Take notice that on 11 July 2008, the Heritage Council of Western Australia resolved as follows—

“The Heritage Council of Western Australia resolves pursuant to Section 22(1) of the *Heritage of Western Australia Act 1990* (“the Act”) to delegate and hereby does delegate simultaneously to the

Development Committee of the Heritage Council and to the Director all of the powers, functions and duties of the Heritage Council of Western Australia under Section 11 and Section 78 of the Act, and the Director and Chair of the Council shall consult from time to time regarding the nature of matters to be determined, respectively, by the Development Committee or by the Director, having regard to the current policies and directives of the Heritage Council of Western Australia.”

Dated the 25th day of July 2008.

IAN BAXTER, Director,  
Heritage Council of Western Australia.

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## JUSTICE

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JU401\*

### COURT SECURITY AND CUSTODIAL SERVICES ACT 1999

#### PERMIT DETAILS

Pursuant to the provisions of section 56 of the *Court Security and Custodial Services Act 1999*, the Director General of the Department of the Attorney General has revoked the following Permits to do High-Level Security Work—

Surname	First Name(s)	Permit Number	Date Permit Revoked
Catchic	Eugene Edward	CS6-529	22 June 2008
Chitengu	Kelvin Thomas	CS7-124	22 June 2008
Groves	Craig Ashley	CS7-089	22 June 2008
Ninnette	Sharon Christine	CS7-097	22 June 2008
Snowball	Ian Steven	CS6-528	22 June 2008
Thorpe	Julian	CS6-638	22 June 2008

These notices are published under section 57(1) of the *Court Security and Custodial Services Act 1999*.

BRIAN LAWRENCE, CSCS Contract Manager.

JU403\*

### COURT SECURITY AND CUSTODIAL SERVICES ACT 1999

#### PERMITS AND REVOCATIONS

Pursuant to the provisions of section 51 of the *Court Security and Custodial Services Act 1999*, the Director General of the Department of the Attorney General has issued the following persons with Permit to do High-Level Security Work—

Surname	First Name(s)	Permit Number	Date Permit Issued	Permit Commence Date	Permit Expiry Date
Bishop	Susan Anita	CS8-195	21/07/2008	21/07/2008	30/07/2011
Durward	Michael Desmond	CS8-194	21/07/2008	21/07/2008	30/07/2011
Estaris	Anthony	CS8-193	21/07/2008	21/07/2008	30/07/2011
Guerrero	Estelito	CS8-192	21/07/2008	21/07/2008	30/07/2011
Pau'u	Johnny Joanie	CS8-191	21/07/2008	21/07/2008	30/07/2011
Lawrence	Daniel Edward	CS8-185	16/07/2008	16/07/2008	30/07/2011
Zagorski	Theresa Helen	CS8-190	21/07/2008	21/07/2008	30/07/2011

Pursuant to the provisions of section 56 of the *Court Security and Custodial Services Act 1999*, the Director General of the Department of the Attorney General has revoked the following Permits to do High-Level Security Work—

Surname	First Name(s)	Permit Number	Date Permit Revoked
Bishop	Susan Anita	CS8-062	21/07/2008
Durward	Michael Desmond	CS8-066	21/07/2008
Estaris	Anthony	CS8-063	21/07/2008
Guerrero	Estelito	CS8-064	21/07/2008
Pau'u	Johnny Joanie	CS8-065	21/07/2008
Zagorski	Theresa Helen	CS8-060	21/07/2008

These notices are published under section 57(1) of the *Court Security and Custodial Services Act 1999*.

BRIAN LAWRENCE, CSCS Contract Manager.

JU402\*

### PRISONS ACT 1981

#### PERMIT DETAILS

Pursuant to the provisions of section 15P of the *Prisons Act 1981*, the Commissioner of the Department of Corrective Services has issued the following persons with Permits to do High-Level Security Work—

Surname	First Names	Permit No.	Issue Date
Brown	Dale William	AP 0577	18/07/08

This notice is published under section 15P of the *Prisons Act 1981*.

BRIAN LAWRENCE, Manager Acacia Prison Contract.

21 July 2008.

## LOCAL GOVERNMENT

LG401\*

### LOCAL GOVERNMENT ACT 1995

*City of Albany*  
(BASIS OF RATES)

Department of Local Government  
and Regional Development.

DLGRD: AL5-4#02

It is hereby notified for public information that in accordance with the provisions of section 6.28 of the *Local Government Act 1995*, the Director General of the Department of Local Government and Regional Development, under delegation from the Hon Ljiljanna Ravlich MLC, Minister for Local Government, being charged for the time being with the administration of the *Local Government Act 1995*, has determined that the method of valuing the land described in the schedule hereunder shall be gross rental value for the purposes of rating with effect from 25 July 2008.

JENNIFER MATHEWS, Director General.

#### Schedule

#### ADDITION TO GROSS RENTAL VALUE AREA

*City of Albany*

All those portions of land being Lots 84, 85 and 90 as shown on Deposited Plan 54712.

LG402\*

**LOCAL GOVERNMENT ACT 1995***Shire of Capel*  
(BASIS OF RATES)Department of Local Government  
and Regional Development.

DLGRD: CP5-4#06

It is hereby notified for public information that in accordance with the provisions of section 6.28 of the *Local Government Act 1995*, the Director General of the Department of Local Government and Regional Development, under delegation from the Hon Ljiljanna Ravlich MLC, Minister for Local Government, being charged for the time being with the administration of the *Local Government Act 1995*, has determined that the method of valuing the land described in schedules hereunder shall be gross rental value for the purposes of rating with effect from 14 May 2008 in Schedule A and 19 June 2008 in Schedule B.

JENNIFER MATHEWS, Director General.

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**Schedule**

## ADDITION TO GROSS RENTAL VALUE AREA

*Shire of Capel***Schedule A**

All those portions of land being Lots 4455 to 4464 inclusive and Lots 4471 to 4495 inclusive as shown on Deposited Plan 59385; Lots 4427 to 4437 inclusive and Lots 4452 to 4454 inclusive as shown on Deposited Plan 59387; Lot 4521, Lot 4522, Lot 4524, Lot 4525 and Lots 4536 to 4538 inclusive as shown on Deposited Plan 59417.

**Schedule B**

All those portions of land being Lot 4399, Lot 4400, Lot 4496, Lot 4497, Lots 4506 to 4510 inclusive and Lot 4523 as shown on Deposited Plan 59418.

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LG403\*

**LOCAL GOVERNMENT ACT 1995***Shire of Denmark*  
(BASIS OF RATES)Department of Local Government  
and Regional Development.

DLGRD: DE5-4#03

It is hereby notified for public information that in accordance with the provisions of section 6.28 of the *Local Government Act 1995*, the Director General of the Department of Local Government and Regional Development, under delegation from the Hon Ljiljanna Ravlich MLC, Minister for Local Government, being charged for the time being with the administration of the *Local Government Act 1995*, has determined that the method of valuing the land described in the schedule hereunder shall be gross rental value for the purposes of rating with effect from 1 July 2008.

JENNIFER MATHEWS, Director General.

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**Schedule**

## ADDITION TO GROSS RENTAL VALUE AREA

*Shire of Denmark*

All those portions of land comprised in the schedules below—

**SCHEDULE "A"**

All that portion of land being Lot 56 as shown on Diagram 43841; Lot 1 as shown on Diagram 53059; Lot 36 as shown on Diagram 62373; Lot 4 as shown on Diagram 65637; Lot 4 as shown on Diagram 68563; Lot 3 as shown on Diagram 74615; Lot 3 as shown on Diagram 77903; Lot 4 and Lot 5 as shown on Diagram 85810 and Lot 12 as shown on Diagram 90510.

**SCHEDULE "B"**

All that portion of land being Lot 1 as shown on Plan 20424; Lot 2 as shown on Plan 12871 and lot 10 as shown on Plan 21575.



**SCHEDULE "C"**

All that portion of land being Lot 3 as shown on Deposited Plan 36830; Lot 23 as shown on Deposited Plan 45828; Lot 201 as shown on Deposited Plan 58848; Lot 696 and Lot 697 as shown on Deposited Plan 144987; Lot 4615 on Deposited Plan 149367 and as shown on Certificate of Title Volume 1323 Folio 576; Lot 5911 as shown on Deposited Plan 162715; Lot 2265 on Deposited Plan 169150 as shown on Certificate of Title Volume 1610 Folio 168; Lot 4328 on Deposited Plan 202973 and as shown on Certificate of Title Volume 1217 Folio 515; Lot 2298 on Deposited Plan 212298 and as shown on Certificate of Title Volume 1849 Folio 23 and Lot 516 on Deposited Plan 230735 and as shown on Certificate of Title Volume 1443 Folio 333.

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**MARINE/MARITIME**


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MX401\*

**WESTERN AUSTRALIAN MARINE ACT 1982**  
**NAVIGABLE WATERS REGULATIONS 1958**  
 RESTRICTED SPEED AREAS—ALL VESSELS

Practice Times  
 2008 Avon Descent

Department for Planning and Infrastructure,  
 Fremantle WA, 25 July 2008.

Acting pursuant to the powers conferred by Section 67 of the *Western Australian Marine Act 1982* the department by this notice revokes sub-paragraphs a(1) and b(1)(i) of the notice published in the *Government Gazette* on 25 October 1991 relating to the maximum speeds of four and five knots in the upper reaches of the Swan River.

Also, acting pursuant to the powers conferred by Section 115A of the *Western Australian Marine Act 1982*, the department by this notice exempts all vessels, as detailed below, from the provisions of Regulation 48 of the *Navigable Waters Regulations 1958*.

Providing however that such revocations shall only apply from upstream of the Middle Swan Bridge to Bells Bridge and from Posselt's Ford to Northam Weir between the hours of 1200 and 1800 on Saturday 26 July 2008 and 0800 to 1200 on Sunday 27 July 2008 and is applicable only to those bona fide entrants of the 2008 Avon Descent participating in practice for that event and only during allocated practice times defined by the Northam Avon Descent Association in accordance with the events rules.

After 1200 hours on Sunday 27 July 2008 the speed limits will be re-established in accordance with the terms of the Gazettal notice issued on 25 October 1991 and Regulation 48 of the *Navigable Waters Regulations 1958*.

DAVID HARROD, General Manager Marine Safety,  
 Department for Planning and Infrastructure.

MX402\*

**WESTERN AUSTRALIAN MARINE ACT 1982**  
**NAVIGABLE WATERS REGULATIONS 1958**  
 RESTRICTED SPEED AREAS—ALL VESSELS

Media Launch  
 2008 Avon Descent

Department for Planning and Infrastructure,  
 Fremantle WA, 25 July 2008.

Acting pursuant to the powers conferred by Section 67 of the *Western Australian Marine Act 1982* the department by this notice revokes sub-paragraph d(1)(iv) of the notice published in the *Government Gazette* on 25 October 1991 relating to the 8 knot speed area from a position 235 metres downstream of the Ascot Swimming jetties to a position 100 metres downstream of the Point Reserve jetties, on the Swan River.

Also, acting pursuant to the powers conferred by Section 115A of the *Western Australian Marine Act 1982*, the department by this notice exempts all vessels, as detailed below, from the provisions of Regulation 48 of the *Navigable Waters Regulations 1958*.

Providing however that such revocations shall only apply to official bona fide vessels associated with the 2008 Avon Descent Media Launch, between the hours of 0730 and 0900 on Thursday 31 July 2008 and will not apply to normal traffic.

After 0900 hours on Thursday 31 July 2008 the speed limits will be re-established in accordance with the terms of the Gazettal notice issued on 25 October 1991 and Regulation 48 of the *Navigable Waters Regulations 1958*.

DAVID HARROD, General Manager Marine Safety,  
Department for Planning and Infrastructure.

MX403\*

**WESTERN AUSTRALIAN MARINE ACT 1982**  
**NAVIGABLE WATERS REGULATIONS 1958**  
**RESTRICTED SPEED AREAS—ALL VESSELS**  
2008 Avon Descent

Department for Planning and Infrastructure,  
Fremantle WA, 25 July 2008.

Acting pursuant to the powers conferred by Section 67 of the *Western Australian Marine Act 1982* the department by this notice revokes sub-paragraphs a(1), b(1)(i), d(1)(iii) and d(1)(iv) of the notice published in the *Government Gazette* on 25 October 1991 relating to restricted speed areas for all vessels on the Swan and Avon Rivers.

Also, acting pursuant to the powers conferred by Section 115A of the *Western Australian Marine Act 1982*, the department by this notice exempts all vessels, as detailed below, from the provisions of Regulation 48 of the *Navigable Waters Regulations 1958*.

Providing however that such revocations shall only apply to official bona fide vessels associated with the 2008 Avon Descent, between the hours of 0800 and 1800 on Saturday 2 August and Sunday 3 August 2008 and will not apply to normal traffic.

After 1800 hours on Sunday 3 August 2008 the speed limits will be re-established in accordance with the terms of the Gazettal notice issued on 25 October 1991 and Regulation 48 of the *Navigable Waters Regulations 1958*.

DAVID HARROD, General Manager Marine Safety,  
Department for Planning and Infrastructure.

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## MINERALS AND PETROLEUM

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MP401\*

**MINING ACT 1978**  
**INTENTION TO FORFEIT**

Department of Industry and Resources,  
PERTH WA 6000.

I hereby declare in accordance with the provisions of sections 96A(1) and 97(1) of the *Mining Act 1978* that the undermentioned mining tenements are forfeited for breach of covenant viz; failure to comply with the prescribed expenditure conditions.

FRANCIS LOGAN MLA, Minister for Energy;  
Resources; Industry and Enterprise.

Number	Holder	Mineral Field
Exploration Licences		
09/1290	Skyridge Pty Ltd	Gascoyne
20/545	Red Dale Exploration Pty Ltd	Murchison
Mining Lease		
63/547	Sharpe, Clifford Robert	Dundas

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**PLANNING AND INFRASTRUCTURE**

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PI401\*

**PLANNING AND DEVELOPMENT ACT 2005***City of Rockingham*

## APPROVED LOCAL PLANNING SCHEME AMENDMENT

Town Planning Scheme No. 2—Amendment No. 53

Ref: 853/2/28/4 Pt 53

It is hereby notified for public information, in accordance with Section 87 of the *Planning and Development Act 2005* that the Minister for Planning and Infrastructure approved the City of Rockingham local Planning Scheme Amendment on the 5th July 2008 for the purpose of—

1. Modifying provisions under Clause 5.5 of Town Planning Scheme No. 2 to prescribe the Anstey Park precinct as a Development Contribution Area and to incorporate a Development Contribution Plan into Schedule No. 10 of the Scheme as follows—
  - (i) The definition of ‘Cost Contribution’ in clause 5.5.1 is amended by deleting “*means the contribution to the cost of Infrastructure payable by an owner under clause 5.5 and*” and inserting instead—

“*has the meaning given to it in*”.
  - (ii) The definition of ‘Infrastructure’ in clause 5.5.1 is amended by deleting “*means services and facilities which, in accordance with the Commission’s policy, it is reasonable for Owners to make a Cost Contribution towards*” and inserting instead—

“*has the meaning given to it in the applicable Development Contribution Plan*”.
  - (iii) Clause 5.5.2(a) is amended by inserting after “Development Contribution Areas”—

“*are*”.
  - (iv) Clause 5.5.3(b) is amended as follows—
    - (a) by deleting “*and in particular, to ensure that Cost Contributions are only required towards such Infrastructure as is reasonably required as a result of the subdivision and development of land in the Development Contribution Area.*”; and
    - (b) by inserting after “*cost of Infrastructure*”—

“*and any other costs specified in the Development Contribution Plan*”.
  - (v) Clause 5.5.5.1 is amended as follows—
    - (a) in paragraph (b) by inserting after “*the Infrastructure*”—

“*and any other things*”; and
    - (b) in paragraph (c) by deleting “*towards the Infrastructure to be funded through the Development Contribution Plan*”.
  - (vi) Clause 5.5.5.3 is deleted.
  - (vii) Clause 5.5.5.4 is amended as follows—
    - (a) by deleting “*paragraph 5.5.5.3(d), in calculating*” and inserting instead—

“*calculating the Owner’s Cost Contribution*”; and
    - (b) in paragraph (b) by deleting “*existing*”.
  - (viii) Clause 5.5.5.5(a) is amended by deleting “*of Infrastructure*”.
  - (ix) Clause 5.5.5.6 is amended by deleting “*for Infrastructure*”.
  - (x) Clause 5.5.8.1 is amended by inserting after “*within that Contribution Area*”—

“*and for other things and matters specified in the Development Contribution Plan*”.
  - (xi) Clause 5.5.10.1 is amended by deleting “*clause 5.3*” and inserting instead—

“*clause 5.5*”.
  - (xii) Clause 5.5.10.5 is amended by deleting “*such other*” and inserting instead—

“*any earlier*”
  - (xiii) Clauses 5.5.10.7, 5.5.10.8, 5.5.10.9, 5.5.10.10, 5.5.10.11 and 5.5.10.12 are deleted.
  - (xiv) The heading to clause 5.5.10.7 is deleted.
  - (xv) Clause 5.5.11 is amended by deleting “*section 13 of the Town Planning and Development Act*” and inserting instead—

“*the Act*”.

(xvi) Schedule No. 10 is amended by inserting the following—

Reference No.	Area	Provisions
DCA1	The Area shown and described as DCA1 on the Scheme Map	<p><b>Development Contribution Plan No. 1 (Anstey Park)</b></p> <p><b>1. Title</b> This Development Contribution Plan may be referred to as Development Contribution Plan No. 1 (Anstey Park).</p> <p><b>2. Application</b> Development Contribution Plan No. 1 (Anstey Park) applies to Contribution Area No. 1.</p> <p><b>3. Definitions</b> In this Development Contribution Plan—</p> <p>“<b>Contribution Area No. 1</b>” means the land shown and described as DCA 1 on the Scheme Map;</p> <p>“<b>Costs Contribution</b>” means the amount referred to and calculated in accordance with clause 6 of this Development Contribution Plan;</p> <p>“<b>Estimated Traffic Generation of the Owner’s Land</b>” means the figure applicable to an Owner’s land, representing the estimated traffic generation figure for that land, as specified in Table 1 of this Development Contribution Plan;</p> <p>“<b>Estimated Traffic Generation of Contribution Area No. 1</b>” means the total figure for all land in Contribution Area No. 1, representing the estimated traffic generation figure for that land, as specified in Table 1 of this Development Contribution Plan;</p> <p>“<b>General Costs</b>” means—</p> <ul style="list-style-type: none"> <li>(a) the costs and estimated costs of the administration by the City of this Development Contribution Plan including an amount considered reasonable by the City to reimburse the City for overheads, supervision and management costs and estimated costs of the preparation and implementation of this Development Contribution Plan;</li> <li>(b) legal costs and estimated legal costs of the City in relation to the preparation and implementation of this Development Contribution Plan and any related amendment of the Scheme;</li> <li>(c) the costs and estimated costs of the City in respect of the preparation and planning associated with this Development Contribution Plan including any advertising or gazettal;</li> <li>(d) the costs which the City has agreed to reimburse in relation to the preparation of the Anstey Park Comprehensive Development Plan dated the 9th September 2004;</li> <li>(e) the costs and estimated costs of the City with respect to the amendment of the Anstey Park Comprehensive Development Plan and any Structure Plan applicable to Contribution Area No. 1;</li> <li>(f) all other costs and estimated costs not referred to in paragraph (a), (b), (c) or (d) or (e) of the City in carrying out the Infrastructure; and</li> <li>(g) interest and fees and estimated interest and fees in relation to any loan raised or to be raised by the City in meeting the costs and estimated costs referred to in paragraphs (a) to (e) inclusive,</li> </ul> <p>and includes any of those costs incurred prior to the Operative Date;</p> <p>“<b>Infrastructure</b>” means all works carried out by the City associated with the development and maintenance (for a 2 year period) of any land in Contribution Area No. 1 for the purpose of public open space;</p>

Reference No.	Area	Provisions
		<p><b>“Infrastructure Costs”</b> means—</p> <ul style="list-style-type: none"> <li>(a) the costs and estimated costs of the City in carrying out the Infrastructure;</li> <li>(b) the costs and estimated costs of the City in reimbursing owners who have carried out any of the Infrastructure; and</li> <li>(c) the costs and estimated costs of the City in purchasing and acquiring land in Contribution Area No. 1 for the purpose of public open space,</li> </ul> <p>and includes any of those costs incurred prior to the Operative Date;</p> <p><b>“Later Subdivider Costs”</b>—</p> <ul style="list-style-type: none"> <li>(a) means any costs incurred by the City in discharging a liability under the Later Subdivider Provisions of a later subdivider of land within Contribution Area No. 1 in relation to an original subdivider’s costs of providing Warnbro Sound Avenue or Anstey Road;</li> <li>(b) includes any of those costs incurred prior to the Operative Date; and</li> <li>(c) for the purposes of this definition the expressions “later subdivider” and “original subdivider” have the meanings given to them in, or for the purposes of, the Later Subdivider Provisions;</li> </ul> <p><b>“Later Subdivider Provisions”</b> means section 28A(5) of the <i>Town Planning and Development Act 1928</i> [which section continues to apply by virtue of section 29 of the <i>Planning and Development (Consequential and Transitional Provisions) Act 2005</i>] and section 159 of the <i>Planning and Development Act 2005</i>;</p> <p><b>“Operative Date”</b> means the date on which this Development Contribution Plan comes into effect;</p> <p><b>“Owner”</b> has the meaning given to in clause 5.5.1 of the Scheme;</p> <p><b>“Owner’s Net Ceded Land”</b> means—</p> <ul style="list-style-type: none"> <li>(a) that portion of the Owner’s land, if any, which is ceded by the Owner to the Crown for public open space in order to satisfy a condition of an approval to subdivide the Owner’s land in accordance with the applicable Structure Plan; less</li> <li>(b) 50% of any part of that portion considered by the Council to be required for drainage;</li> </ul> <p><b>“Value”</b> has the meaning given to it in clause 5.5.10 of the Scheme.</p> <p><b>4. Period of Operation</b> Development Contribution Plan No. 1 (Anstey Park) operates for a period of 5 years commencing on the Operative Date.</p> <p><b>5. Subdivision to be consistent with Structure Plan</b> Land in Contribution Area No. 1 is to be subdivided consistently with the applicable Structure Plan including making provision for—</p> <ul style="list-style-type: none"> <li>(a) roads;</li> <li>(b) public open space;</li> <li>(c) government schools; and</li> <li>(d) land for other public purposes,</li> </ul> <p>as shown and described in the applicable Structure Plan.</p> <p><b>6. Method of determining Cost Contributions</b> The Cost Contribution payable by an Owner is—</p> <ul style="list-style-type: none"> <li>(a) a proportion of the General Costs which proportion is the same as the proportion which the area of the Owner’s land bears to the total area of land in Contribution Area No. 1; plus</li> <li>(b) a proportion of the Infrastructure Costs which proportion is the same as the proportion which the area of the Owner’s land bears to the total area of land in Contribution Area No. 1; plus</li> </ul>

Reference No.	Area	Provisions
		<p>(c) a proportion of the Later Subdivider Costs which proportion is the same as the Estimated Traffic Generation of the Owner's Land bears to the Estimated Traffic Generation of the Contribution Area No. 1; minus</p> <p>(d) one hundred and ten per cent (110%) of the Value of the Owner's Net Ceded Land.</p> <p>Example—</p> $\text{OCC} = \left( \text{GC} \times \frac{\text{OL}}{\text{DCA}} \right) + \left( \text{IC} \times \frac{\text{OL}}{\text{DCA}} \right) +$ $\left( \text{LSC} \times \frac{\text{TGOL}}{\text{TGDCA}} \right) - \left( 110\% \times \text{VNCL} \right) \times \frac{\text{OL}}{\text{DCA}}$ <p>Where—</p> <p>OCC is the Cost Contribution of the Owner;</p> <p>GC is the General Costs;</p> <p>OL is the area of the Owner's land;</p> <p>DCA is the total area of land in Contribution Area No. 1;</p> <p>IC is the Infrastructure Costs;</p> <p>LSC is the Later Subdivider Costs;</p> <p>TGOL is the Estimated Traffic Generation of the Owner's land;</p> <p>TGDCA is the Estimated Traffic Generation of Contribution Area No. 1;</p> <p>VNCL is the Value of the Owner's Net Ceded Land.</p> <p>Note—</p> <p>Clause 5.5.5.4 of the Scheme provides as follows—</p> <p>“5.5.5.4 For the purposes of calculating the Owner's Cost Contribution both the area of an Owner's land and the total area of land in a Development Contribution Area, the area of land provided or required in that Development Contribution Area for—</p> <ol style="list-style-type: none"> <li>roads designated under the Metropolitan Region Scheme as Primary Regional Roads and Other Regional Roads;</li> <li>public open space;</li> <li>government primary and secondary schools; and</li> <li>such other land as is set out in the Development Contribution Plan,</li> </ol> <p>is to be excluded.”</p> <p><b>7. Deduction of Drainage Areas</b></p> <p>Notwithstanding clause 5.5.5.4 of the Scheme, the area of land provided or required for public open space is to have deducted from it, 50% of any portion of the land determined by the Council to be required for drainage.</p> <p><b>8. Land subdivided before the Operative Date</b></p> <p>The provisions of this Development Contribution Plan do not apply in respect of land which has been subdivided, in accordance with the Structure Plan applicable to Contribution Area No. 1, prior to the Operative Date.</p> <p><b>9. Planning Policies</b></p> <p>The Council may prepare a Planning Policy, under clause 8.9 of the Scheme, with respect to any matter the Council considers necessary or desirable in connection with the implementation and administration of this Development Contribution Plan including the circumstances in which the City will reimburse an Owner's costs of carrying out any Infrastructure and the amount of the costs to be reimbursed or the method by which those costs are to be determined.</p>

Reference No.	Area	Provisions																																				
		<p><b>10. Estimate of the Infrastructure Costs</b>  As at 14th March 2007, the estimate of the Infrastructure Costs was as follows—</p> <ul style="list-style-type: none"> <li>(a) Land Acquisition—\$11,769,518.20;</li> <li>(b) Public Open Space Development—\$1,880,981.15;</li> <li>(c) Public Open Space Maintenance—\$1,335,044.12;</li> <li>(d) Stormwater Drainage Pipework—\$1,322,608.83;</li> <li>(e) Stormwater Drainage Earthworks—\$972,578.21.</li> </ul> <p>Note—  Clauses 5.5.5.5, 5.5.5.6 and 5.5.5.7 of the Scheme provide as follows—</p> <p>“5.5.5.5 (a) Where a Development Contribution Plan contains estimated costs, such estimated costs are to be reviewed at least annually by the Council in accordance with the best and latest information available to the Council until the expenditure on the relevant item has occurred.</p> <p>(b) Where requested in writing by an Owner, the Council is to have such estimated costs independently certified by an appropriate qualified person.</p> <p>5.5.5.6 Where any Cost Contribution has been calculated on the basis of an estimated cost, the Council may—</p> <ul style="list-style-type: none"> <li>(a) adjust the Cost Contribution of any Owner in accordance with the revised estimated costs or the final expenditure; or</li> <li>(b) accept a Cost Contribution based upon estimated costs as a final Cost Contribution and may enter into an agreement with an Owner accordingly.</li> </ul> <p>5.5.5.7 Where an Owner’s Cost Contribution is adjusted under clause 5.5.5.6, the Council, on receiving a request in writing from an Owner, is to provide the Owner with a copy of estimated costs and the calculation of adjustments.”</p> <p><b>11. Estimate of Later Subdivider Costs</b>  As at 14th March 2007, the estimate of the Later Subdivision Costs was as follows—</p> <ul style="list-style-type: none"> <li>(a) Anstey Road—\$248,252.00; and</li> <li>(b) Warnbro Sound Avenue—\$637,977.00</li> </ul> <p><b>12. Estimate of General Costs</b>  As at 14th March 2007, the estimate of the General Costs was as follows—</p> <ul style="list-style-type: none"> <li>(a) Administration—\$255,794.65; and</li> <li>(b) Ongoing Management—\$152,770.00</li> </ul> <p style="text-align: center;"><b>TABLE 1</b>  <b>Estimated traffic generation figures</b></p> <table border="1" data-bbox="667 1615 1386 2098"> <thead> <tr> <th data-bbox="675 1626 890 1675">Lot No.</th> <th data-bbox="898 1626 1137 1675">Warnbro Sound Avenue</th> <th data-bbox="1145 1626 1378 1675">Anstey Road</th> </tr> <tr> <th data-bbox="675 1686 890 1736"></th> <th data-bbox="898 1686 1137 1736">Estimated Traffic Generation</th> <th data-bbox="1145 1686 1378 1736">Estimated Traffic Generation</th> </tr> </thead> <tbody> <tr><td data-bbox="675 1747 890 1774">35</td><td data-bbox="898 1747 1137 1774">116</td><td data-bbox="1145 1747 1378 1774">0</td></tr> <tr><td data-bbox="675 1785 890 1812">36</td><td data-bbox="898 1785 1137 1812">120</td><td data-bbox="1145 1785 1378 1812">0</td></tr> <tr><td data-bbox="675 1823 890 1850">37</td><td data-bbox="898 1823 1137 1850">136</td><td data-bbox="1145 1823 1378 1850">0</td></tr> <tr><td data-bbox="675 1861 890 1888">38</td><td data-bbox="898 1861 1137 1888">115</td><td data-bbox="1145 1861 1378 1888">0</td></tr> <tr><td data-bbox="675 1899 890 1926">39</td><td data-bbox="898 1899 1137 1926">67</td><td data-bbox="1145 1899 1378 1926">0</td></tr> <tr><td data-bbox="675 1937 890 1964">40</td><td data-bbox="898 1937 1137 1964">71</td><td data-bbox="1145 1937 1378 1964">0</td></tr> <tr><td data-bbox="675 1975 890 2002">41</td><td data-bbox="898 1975 1137 2002">93</td><td data-bbox="1145 1975 1378 2002">0</td></tr> <tr><td data-bbox="675 2013 890 2040">42</td><td data-bbox="898 2013 1137 2040">109</td><td data-bbox="1145 2013 1378 2040">0</td></tr> <tr><td data-bbox="675 2051 890 2078">43</td><td data-bbox="898 2051 1137 2078">149</td><td data-bbox="1145 2051 1378 2078">0</td></tr> <tr><td data-bbox="675 2089 890 2116">44</td><td data-bbox="898 2089 1137 2116">142</td><td data-bbox="1145 2089 1378 2116">0</td></tr> </tbody> </table>	Lot No.	Warnbro Sound Avenue	Anstey Road		Estimated Traffic Generation	Estimated Traffic Generation	35	116	0	36	120	0	37	136	0	38	115	0	39	67	0	40	71	0	41	93	0	42	109	0	43	149	0	44	142	0
Lot No.	Warnbro Sound Avenue	Anstey Road																																				
	Estimated Traffic Generation	Estimated Traffic Generation																																				
35	116	0																																				
36	120	0																																				
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38	115	0																																				
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41	93	0																																				
42	109	0																																				
43	149	0																																				
44	142	0																																				

Reference No.	Area	Provisions		
		Lot No.	Warnbro Sound Avenue	Anstey Road
			Estimated Traffic Generation	Estimated Traffic Generation
		45	136	0
		46	109	0
		47	96	47
		48	25	103
		49	29	116
		50	9	136
		51	26	168
		52	28	176
		53	15	94
		55	23	148
		56	18	146
		57	22	167
		58	39	184
		59	62	194
		60	83	214
		1	74	50
		2	74	50
		Pt Lot 54	29	122
		Pt Lot 894	0	201
		Lot 897	23	155
		Lot 898	31	202
		TOTAL	2069	2673

The lot numbers referred to in this Table are as shown on Plan AP1 dated the 14th March 2007 and signed by the Chief Executive Officer

2. Amend the scheme map by inserting 'DCA1' in black text for the Anstey Park area.

B. SAMMELS, Mayor.  
N. D. FIMMANO, Acting Chief Executive Officer.

PI402\*

**PLANNING AND DEVELOPMENT ACT 2005**

*City of Belmont*

**APPROVED LOCAL PLANNING SCHEME AMENDMENT**

Town Planning Scheme No. 14—Amendment No. 52

Ref: 853/2/15/12 Pt 52

It is hereby notified for public information, in accordance with Section 87 of the *Planning and Development Act 2005* that the Minister for Planning and Infrastructure approved the City of Belmont local planning scheme amendment on 15 July 2008 for the purpose of—

(A). Deleting existing clause 5.1.3 and inserting the following modified clause 5.1.3

5.1.3 The Council's prior Planning Approval on land zoned by the Scheme is not required if the development consists of—

- (a) The erection of a boundary fence except as otherwise required by the Scheme.
- (b) the erection on a lot of a single house including any extension, ancillary outbuildings and swimming pools, except where—
  - (i) the proposal requires the exercise of a discretion by the local government under the Scheme or to vary the provisions of the Residential Planning Codes; or
  - (ii) lots less than 350sqm and where otherwise required by subclauses 5.1.4, 5.1.8, 5.1.9, 10.3.1.7, inclusive and subclause 10.2.4.2; or
  - (iii) the development will be located in a heritage area designated under the Scheme;



- (c) The carrying out of any works on, in, over or under a street or road by a public authority acting pursuant to the provisions of any Act.
- (d) The carrying out of any building or works which affect only the interior of a building and which do not materially affect the external appearance of the building unless the building is—
- (i) located in a place that has been registered in the Register of Places under the *Heritage of Western Australia Act 1990*;
  - (ii) the subject of an Order under Part 6 of the *Heritage of Western Australia Act 1990*;
  - (iii) included on Heritage List under Clause 7.1 of this Scheme.
- (e) The carrying out of works urgently necessary in the public safety or for the safety or security of plant or equipment or for the maintenance of essential services.
- (f) The continuation of an existing lawful use by a new owner/occupier provided the continuation does not involve the carrying out of any building or other works.
- (g) The demolition of any building or structure except where the building or structure is—
- (i) located in a place that has been entered in the Register of Places under the *Heritage of Western Australia Act 1990*;
  - (ii) the subject of an order under Part 6 of the *Heritage of Western Australia Act 1990*;
  - (iii) included on the Heritage List under the Scheme;
  - (iv) located within a Heritage Area designated under the Scheme.
- (h) a home occupation.
- (B). Amending Table 1—Zoning Table to include a Mixed Business Zone

TABLE 1—ZONING TABLE

ZONES	
USE CLASSES	Mixed Business
Amusement Facility	D
Amusement Parlour	D
Ancillary Accommodation	D
Auction Mart	D
Bed and Breakfast	S
Betting Agency	D
Camping Area	X
Car Park	D
Caravan Park	X
Caretaker's Dwelling	P
Child Care Premises	P
Civic Use	D
Club Premises	D
Community Home	D
Consulting Rooms	P
Convenience Store	X
Corner Shop	X
Dog Kennels	X
Dry-cleaning Premises	D
Educational Establishment	P
Family Day Care	D
Fast Food/Take Away	S
Fuel Depot	X
Funeral Parlour	D
Garden Centre	D
Grouped Dwelling	S
Health Centre	D
Home Business	D
Home Occupation	D

<b>ZONES</b>	
<b>USE CLASSES</b>	<b>Mixed Business</b>
Hospital	S
Hotel	S
Industry—General	X
Industry—Hazardous	X
Industry—Light	P
Industry—Noxious	X
Industry—Service	P
Laundromat	P
Lunch Bar	P
Marina	X
Massage Parlour	D
Medical Centre	D
Motel	S
Motor Vehicle and Marine Sales	X
Motor Vehicle Hire	X
Motor Vehicle Repair	D
Motor Vehicle Wash	D
Motor Vehicle Wrecking	X
Multiple Dwelling	S
Night Club	S
Nursing Home	S
Office	P
Open Air Display	X
Private Recreation	D
Public Amusement	D
Public Worship	D
Radio and TV Installation	D
Reception Centre	S
Reformatory	X
Residential Building	S
Restaurant	D
Restricted Premises	D
Salvage Yard	X
Service Station	X
Serviced Apartments	S
Shop	X1
Showroom	P
Single House	S
Stables	X
Studio	P
Tavern	X
Trade Display	D
Transport Depot	D
Truck Stop	X
Vet Consulting Rooms	D
Vet Hospital	D
Video Store	D
Warehouse	P

## (C). Inserting a new clause 10.6 "Mixed Business" zone as follows—

## Clause 10.6 Mixed Business Zone

10.6.1 Intention: The 'Mixed Business' zone is intended to allow for the development of a mix of varied but compatible business uses such as offices, showrooms, amusement centres, eating establishments and appropriate industrial activities which do not generate nuisances detrimental to the amenity of the district or to the health, welfare and safety of residents and workforce. Uses can mix on adjacent lots of land or on the same lot and uses may mix horizontally on the same or separate lots and/or vertically in buildings. Buildings should be of a high standard of architectural design set in pleasant garden surrounds with limited vehicular access from properties to primary roads.

## 10.6.2 Site and Development Requirements

The following site and development requirements shall apply within the 'Mixed Use' zone with the exception of residential development which, subject to subclause 10.6.7 shall conform with the provisions of the Residential Design Codes.

- (1) External Space: The use of external space for storage or the conduct of any business activity associated with a premises is prohibited.
- (2) Lot Area and Dimensions: The minimum lot area shall be 2,000 square metres with a minimum effective frontage of 30 metres. However, the Council may support subdivision or approve development of a lot with a lesser area or a lesser effective frontage in circumstances where—
  - (a) The lot existed prior to the approval of this Scheme, or
  - (b) The Council is satisfied that the proposal appropriately addresses issues relating to—
    - (i) Motor vehicle access, parking and circulation;
    - (ii) Easements in gross for the creation of shared accessways;
    - (iii) Rubbish disposal; and
    - (iv) Building footprints and design, or
  - (c) The Commission has approved a subdivision of the subject land which creates a lot or lots with an area or effective frontage less than those nominated in this clause.
- (3) Lot Coverage: Building including accessory buildings shall not cover a total of more than 60 percent of the area of any lot.
- (4) Setbacks of Buildings from Site Boundaries: No part of any building shall be built upon that area of land between the street alignment and the building setback line drawn parallel thereto a distance of 15 metres within the site. In regard to any site having more than one street frontage, the minimum setback from the street alignment shall apply to the frontage of the site to the road or roads of higher category as determined by the Council and the setback from the lesser roads shall not be less than a distance of 7.5 metres.

The Council will only permit averaging of building setbacks in those cases where it is satisfied that the functioning of any proposed use will be improved without detriment to the appearance of the development or the street scene or to the safe movement of traffic on or about the site and in no case will the Council permit a part of any building to be built closer to the street than one half of an average building setback.

- (5) Setback Areas: No use of the area between the street alignment and building setback lines shall be permitted other than for planting or for pedestrian and vehicular circulation and vehicle parking in accordance with the provisions of this Scheme, except that an area up to 25 percent of the building setback area may be used for Trade Display purposes with the approval of the Council.
- (6) Pedestrian and Garden Areas: No less than 3 metres of the building setback area to the primary street frontage and 1 metre to the secondary street frontage must be set aside, developed and maintained as garden space for pedestrian use only. A landscaping and reticulation plan must be submitted to the Council for approval. The landscaping subsequently carried out shall be in accordance with the approved plan. The Council will require as a condition of Planning Approval the reticulation and landscaping of the street verge.

## 10.6.3 Parking and Loading Requirements

Adequate off-street parking shall be provided on site in accordance with the requirements of Table II of the Scheme, together with adequate parking space for customers and visitors as required by the Council. The Council shall also require adequate space for parking, loading and unloading of trade vehicles to be provided on site.

## 10.6.4 Vehicular Cross Access

Where necessary vehicular cross access shall be provided over all parcels of land to give customer and service traffic access to streets wherever access to Great Eastern Highway or other important roads is inappropriate or should be minimised. Cross access provision shall take the form of easements in gross or encumbrances on titles granting right of carriageway with the Council a party to the agreements. All documentation costs shall be met by respective owners.

#### 10.6.5 Building Facades

The primary street frontage of all buildings must have a facade predominantly constructed of brick, concrete, glass or steel or a combination of these materials acceptable to the Council. Where a proposed structure is to extend from one street frontage to another, as distinct from the double street frontage of a corner lot, there must be a full height facade to both street frontages of the above materials or similar materials acceptable to the Council.

In the cases of walls fronting secondary streets, the construction must be as above to a minimum height of two metres except that in the case of a building having walls in excess of five metres to plate height the construction must be increased to half the vertical height of the wall. The Council shall retain the discretion to determine which is a primary and which is a secondary street frontage.

#### 10.6.6 Fencing and Walls

It is the Council's intention that in the 'Mixed Business' zone, fencing within the front setback area should be kept to a minimum. In circumstances where security cannot be provided by any other means the Council may allow fencing within the front setback provided it is of a high quality and constructed of wrought iron, masonry or similar materials.

#### 10.6.7 Discretion to Vary Standards—

Without affecting the generality of clause 10.1.4, for residential development in the 'Mixed Business' zone the Council may allow a relaxation or variation of the standards and requirements applicable to the 'Mixed Business' zone if the Council is satisfied that the matters referred to in items (a) and (b) conditioning the discretion in clause 10.15.3 are complied with.

(D). Renumbering of existing clauses 10.6 through to 10.17.17 accordingly.

(E). Deleting Table II and inserting the following modified Table II—

**TABLE II  
CAR PARKING REQUIREMENTS**

<b>Land Use/Use Class</b>	<b>Minimum Parking Provision</b>
Amusement Centre/ Betting Agency	1 space for every 10m <sup>2</sup> of NLA
Auction Mart	Parking to be at the discretion of the Council
Automotive and Marine Sales Premises	1 space for every 40m <sup>2</sup> of vehicle display showroom plus 1 space per 50m <sup>2</sup> outdoor trade display.
Bank	1 space for every 20m <sup>2</sup> of NLA
Caretaker's Dwelling	1 space per dwelling
Child Day Care Centre	1 space for every employee plus 1 space per every 8 children allowed under maximum occupancy.
Civic Use/ Club Premises/ Night Club/ Public Amusement/ Public Worship/ Reception Centre	1 space for every 4 persons whom the building is designed to accommodate.
Club Premises	1 space for every 4 persons whom the building is designed to accommodate
Community Home	1 space per employee or staff member plus 1 space for every 3 beds
Community Purposes	Parking to be negotiated with the Council
Consulting Rooms and Consulting Rooms—Group	4 spaces for every practitioner
Convenience Store	6 spaces per 100m <sup>2</sup> of GLA for any shop plus 1 space per petrol pump
Corner Shop/Home Store	5 spaces in addition to residential requirement
Educational Establishment	Education Establishment (Private Primary School) 1 space per classroom. Education Establishment (Private Secondary School) 1 space per classroom, plus 1 space for every 25 students the school is designed to accommodate for the final year of secondary education. Education Establishment (Private Tertiary) 1 space for every 6 students the building is designed to accommodate, plus 1 for each faculty staff member, or employee, plus additional requirements for auditoriums or stadiums.

Land Use/Use Class	Minimum Parking Provision
	Education Establishment (Other) 1 space for every 4 students the establishment is designed to accommodate.
Family Day Care	A paved pick-up area in addition to residential requirements
Fuel Depot/Transport Depot	1 space per 75m <sup>2</sup> GFA or 1 space per employee whichever is the greater
Funeral Parlour	6 spaces plus 1 space for every 4 persons where a chapel is included
Health Centre	4 spaces for every practitioner plus 1 bay per 20m <sup>2</sup> GFA available to the public
Hospital	1 space for every 4 hospital beds plus 1 space for each staff member on duty
Hotel/Motel	1 space for every 2m <sup>2</sup> of bar and lounge floor area. (1 space for every 4m <sup>2</sup> of seating only areas) plus 1 space for every bedroom. Where other facilities are provided parking is to be negotiated with the Council.
Industry—Cottage	1 space per employee in addition to residential requirements
Industry—Light	1 space for every 50m <sup>2</sup> of open space used for industrial purposes, plus 1 space for every 50m <sup>2</sup> of GFA; or 1 space for each employee, whichever is the greater.
Industry—Service	1 space for every 50m <sup>2</sup> of open space used for industrial purposes, plus 1 space for every 50m <sup>2</sup> of GFA; or 1 space for each employee, whichever is the greater.
Industry/Workshop/Factory	1 space for every 50m <sup>2</sup> of open space used for industrial purposes, plus 1 space for every 50m <sup>2</sup> of GFA; or 1 space for each employee, whichever is the greater.
Laundromat	1 per 20m <sup>2</sup> of NLA
Lunch Bar	6 spaces for every 100m <sup>2</sup> of NLA
Nursing Homes/Aged Persons Hostels	1 space for every 4 beds 1 space for every employee
Office	1 space for every 30m <sup>2</sup> of NLA or 1 space for each employee, whichever is greater
Plant Nursery	1 space for every 50m <sup>2</sup> of display and sales area
Restaurant	1 space for every 4 seats
Restricted Premises	6 spaces for every 100m <sup>2</sup> NLA
Service Station	1 space for every service bay plus 1 space for every employee (bowser bays shall be excluded from any calculation of parking bays)
Shop	6 spaces per 100m <sup>2</sup> of NLA
Showroom	1 space for every 40m <sup>2</sup> of NLA
Studio	1 space per 40m <sup>2</sup> display area plus 1 bay per employee
Take Away/ Fast Food Outlet	6 spaces for every 100m <sup>2</sup> of NLA plus 1 space for every 4 seated customers (car queuing areas may be permitted to be calculated as parking spaces)
Tavern	1 space for every 2m <sup>2</sup> of bar and lounge floor area (1 space for every 4m <sup>2</sup> of seating only areas)
Vet Consulting Rooms	4 spaces for every practitioner
Vet Hospital	2 spaces for every employee
Video Store	6 spaces for every 100 m <sup>2</sup> NLA
Warehouse	1 space for every 100m <sup>2</sup> of GFA plus 1 space for every 100m <sup>2</sup> of open space used for warehousing purpose.
Any other use	To be determined by the Council

## (F). Amending Schedule No. 1 of the Scheme 'Interpretations' as follows—

- (i) Deleting the existing definition of 'Bed and Breakfast' and inserting "means a dwelling, used by a resident of the dwelling, to provide accommodation for persons away from their normal place of residence on a short-term commercial basis and includes the provision of breakfast."
- (ii) Deleting the existing definition of 'Educational Establishment' and inserting "means premises used for the purposes of education and includes a school, tertiary institution, business college, academy or other educational centre."

- (iii) Inserting the following definition for 'Fuel Depot' "means premises used for the storage and sale in bulk of solid or liquid or gaseous fuel, but does not include a service station and specifically excludes the sale by retail into a vehicle for final use of such fuel from the premises"
- (iv) Inserting the following definition for 'Industry—Cottage' "means a trade or light industry producing arts and crafts goods which does not fall within the definition of a home occupation and which—
  - (a) does not cause injury to or adversely affect the amenity of the neighbourhood;
  - (b) where operated in a residential zone, does not employ any person other than a member of the occupier's household;
  - (c) is conducted in an out-building which is compatible with the principal uses to which land in the zone in which it is located may be put;
  - (d) does not occupy an area in excess of 50 square metres; and
  - (e) does not display a sign exceeding 0.2 square metres in area;"
- (v) Deleting the existing definition of 'Radio and TV Installation' and inserting "means land used to accommodate any part of the infrastructure of a telecommunications network and includes any line, equipment, apparatus, tower, antenna, tunnel, duct, hole, pit or other structure used, or for use in or in connection with, a telecommunications network."
- (vi) Inserting the following definition for 'Reformatory' "means premises used to hold and reform persons committed to it by a court, such as a prison or other type of detention facility."
- (vii) Inserting the following definition for 'Trade Display' "means premises used for the display of trade goods and equipment for the purpose of advertisement."

**PI403\***

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

*City of Gosnells*

Town Planning Scheme No. 6—Amendment No. 75

Ref: 853/2/25/8 Pt 75

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning and Infrastructure approved the City of Gosnells local planning scheme amendment on 23 June 2008 for the purpose of—

1. Modifying the boundary of a "Local Open Space" reserve on Towncentre Drive, Thornlie.
2. Rezoning a portion of Lot 9006 Murdoch Road, Thornlie from "District Centre" and "Residential 30" to "Residential R80".
3. Rezoning a portion of Lots 155, 156, 157 and 158 Claridge Circle, Thornlie from "District Centre" to "Residential R30".

O. SEARLE, Mayor.  
 D. SIMMS, Chief Executive Officer.

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## RACING, GAMING AND LIQUOR

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**RG401\***

**LIQUOR CONTROL ACT 1988**

LIQUOR APPLICATIONS

The following is a summary of applications received under the *Liquor Control Act 1988 (the Act)* and required to be advertised.

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

App. No.	Applicant	Nature of Application	Last Date for Objections
<b>APPLICATIONS FOR THE GRANT OF A LICENCE</b>			
12400	George Nicholas Wendland	Application for the grant of a Restaurant licence in respect of premises situated in Broome and know as Aarli Bar	18/08/08

App. No.	Applicant	Nature of Application	Last Date for Objections
<b>APPLICATIONS FOR THE GRANT OF A LICENCE—<i>continued</i></b>			
12441	ESS Eastern Guruma Pty Ltd	Application for the grant of a Special Facility—Canteen licence in respect of premises situated in Tom Price and known as Brockman 4 Construction Camp	07/08/08
12444	ESS Eastern Guruma Pty Ltd	Application for the grant of a Special Facility—Canteen licence in respect of premises situated in Tom Price and known as Brockman 4 Project	07/08/08
12449	Michael Roy Dickson	Application for the grant of a Wholesaler's licence in respect of premises situated in Palmyra and known as Wine Chic	10/08/08
12451	Michael Hutton & Bradley Hutton	Application for the grant of a Wholesaler's licence in respect of premises situated in Dunsborough and known as Hutton Wines	17/08/08
12452	John William Leevers & Kay Lynette Leevers	Application for the grant of a Producer's licence in respect of premises situated in Gidgegannup and known as Hampton Estate	07/09/08
<b>APPLICATION FOR EXTENDED TRADING PERMITS—ONGOING EXTENDED HOURS</b>			
32398	Liquorland (Australia) Pty Ltd	Application for the grant of an extended trading permit—ongoing extended hours, in respect of premises situated in Mandurah and known as Liquorland Mandurah Forum	26/08/2008
<b>APPLICATION TO ADD, VARY OR CANCEL A CONDITION OF LICENCE</b>			
281520	Kingsfield Corporation Pty Ltd	Application to add, vary or cancel a condition of the Special Facility—Other licence in respect of premises situated in Mandurah and known as Meadow Springs Golf and Country Club	08/08/08
<b>APPLICATION FOR APPROVAL TO ALTER/REDEFINE THE LICENSED PREMISES</b>			
282823	Classicsz Pty Ltd	Application for approval to alter/redefine the Hotel in respect of premises situated in Mount Barker and known as Plantagenet Hotel	08/08/08

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

Dated: 23 July 2008.

B. A. SARGEANT, Director of Liquor Licensing.

## REGIONAL DEVELOPMENT

RD401

### REGIONAL DEVELOPMENT COMMISSIONS ACT 1993

#### APPOINTMENT

The following have been appointed as board members to the Goldfields-Esperance Development Commission in Western Australia, in accordance with the *Regional Development Commissions Act 1993*.

#### GOLDFIELDS-ESPERANCE DEVELOPMENT COMMISSION

Board of Management

Community	Term Expiring
Mr Jon Price	30 June 2011

ROBERT HICKS, Chief Executive Officer.

**RD402****DOG ACT 1976****COLOUR OF DOG REGISTRATION TAGS**

The Minister for Local Government hereby orders, under section 18(2) of the *Dog Act 1976*, that the colour specified in the following table for a registration period shall be the colour of registration tags issued under section 16(6) of the Act for that period.

<b>Registration Period Ending</b>	<b>Colour</b>
31 October 2009	Green
31 October 2010	Yellow
31 October 2011	Red

LJILJANNA RAVLICH MLC, Minister for Local Government; Racing and Gaming; Multicultural Interests and Citizenship; Government Enterprises; Minister Assisting the Minister for Planning and Infrastructure; Goldfields-Esperance; Youth.

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**DECEASED ESTATES**


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**ZX401****TRUSTEES ACT 1962****DECEASED ESTATES**

## Notice to Creditors and Claimants

Kimberlee John Crowd, late of 2 Hanson Quarry, Karratha, Western Australia, Triple Road Train Driver, 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 14 April 2008 are required by the Administrator Wendy Anne Boneham of care of Clifton Tham Commercial Law & Litigation of PO Box 1587, Osborne Park WA 6916 to send particulars of their claims to them by no later than 26 August 2008 after which date the Administrator may distribute the assets having regard only to the claims on hand.

**ZX402\*****TRUSTEES ACT 1962****DECEASED ESTATES**

## Notice to Creditors and Claimants

Creditors and other persons having claims (to which Section 63 of the *Trustees Act*, relates) in respect of the Estates of the undermentioned deceased persons are required to send particulars of their claims to me on or before 25 August 2008 after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Aldersea, Bruce, late of Shoalwater Nursing Home, 70-74 Fourth Avenue, Shoalwater, formerly of Unit 18/94 Simpson Avenue, Rockingham, died 14.06.2008 (DE19741414EM13)

Butler, Irene Lucy, late of Floreat Towers, Unit 13/370 Cambridge Street, Wembley, died 5.06.2008 (DE19754360EM23)

Cassidy, Norma Pearl, late of Cambria Village, 222/85 Hester Avenue, Merriwa, died 8.08.2007 (DE33034250EM32)

Church, Benjamin Henry, late of Lathlain Care Facility, 63 Archer Street, Carlisle, died 5.06.2008 (DE19872612EM26)

Schmidt, Reginald John, late of Brightwater – The Cove, 35 Hudson Drive, Dudley Park, died 2.07.2008 (DE19780102EM36)

Sexton, Gladys Audrey, late of Como House, 36 Talbot Avenue, Como, died 13.06.2008 (DE19902890EM26)

Thorne, Stacey Robyn, late of 9 Hill Street, Boddington, died 9.12.2007 (DE33065779EM17)

Williams, Marjorie Hilda, late of Unit 51 Springfield Retirement Village, 17-21 Hefron Street, Rockingham, died 15.07.2008 (DE19570452EM13)

Worth, Thomas, late of Greenmount Gardens Nursing Home, 22 Coongan Avenue, Greenmount, died 27.06.2008 (DE19883044EM13)

JOHN SKINNER, Public Trustee,  
Public Trust Office, 565 Hay Street, Perth WA 6000.  
Telephone: 9222 6777



ZX403

**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 25th day of July 2008.

JOHN SKINNER, Public Trustee,  
565 Hay Street, Perth WA 6000.

\_\_\_\_\_  
Name of Deceased; Address; Date of Death; Date Election Filed.

Farrugia, Mary (DE19981671); 2 Hellenic Drive, Dianella; 12 May 2008; 17 July 2008.

Lamshed, Georgina Gladys (DE19983345EM17); 2 Essex Street, Bayswater; 21 June 2008; 17 July 2008.

\_\_\_\_\_  
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