



WESTERN
AUSTRALIAN
GOVERNMENT
Gazette

ISSN 1448-949X

PRINT POST APPROVED PP665002/00041

351



PERTH, FRIDAY, 20 FEBRUARY 2009 No. 21

PUBLISHED BY AUTHORITY JOHN A. STRIJK, GOVERNMENT PRINTER AT 3.30 PM

© STATE OF WESTERN AUSTRALIA

CONTENTS

PART 1

	Page
Community Protection (Offender Reporting) Act 2004—Community Protection (Offender Reporting) Amendment Regulations 2009	353
Proclamations—Biosecurity and Agriculture Management (Repeal and Consequential Provisions) Act 2007—No. 24 of 2007	353

PART 2

Consumer and Employment Protection	355
Corrective Services	355
Deceased Estates	378
Fisheries	356
Health	356
Heritage	357
Lands	358
Local Government	359
Marine/Maritime	361
Minerals and Petroleum	361
Planning and Infrastructure	364
Racing, Gaming and Liquor	378

IMPORTANT COPYRIGHT NOTICE

© State of Western Australia

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

PUBLISHING DETAILS

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

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

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

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

Delivery address:

State Law Publisher
Ground Floor,
10 William St. Perth, 6000
Telephone: 9321 7688 Fax: 9321 7536

- Inquiries regarding publication of notices can be directed to the Editor on (08) 9426 0010.
- Lengthy or complicated notices should be forwarded early to allow for preparation. Failure to observe this request could result in the notice being held over.

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

ADVERTISING RATES AND PAYMENTS

EFFECTIVE FROM 1 JULY 2008 (Prices include GST).

Deceased Estate notices, (per estate)—\$25.60

Articles in Public Notices Section—\$59.70 minimum charge (except items of an exceptionally large nature. In these instances arrangements will be made for pricing the notice at time of lodging).

All other Notices

Per Column Centimetre—\$11.95

Bulk Notices—\$218.20 per page

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

For charges under \$50, clients will need to supply credit card details at time of lodging notice (i.e. notice under 5cm would not be invoiced).

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

— PART 1 —

PROCLAMATIONS

AA101*

BIOSECURITY AND AGRICULTURE MANAGEMENT (REPEAL AND CONSEQUENTIAL PROVISIONS) ACT 2007

No. 24 of 2007

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 *Biosecurity and Agriculture Management (Repeal and Consequential Provisions) Act 2007* 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 Part 2 Division 9 of that Act, comes into operation.

Given under my hand and the Public Seal of the State on 10 February 2009.

By Command of the Governor,

D. REDMAN, Minister for Agriculture and Food.

POLICE

PO301*

Community Protection (Offender Reporting) Act 2004

Community Protection (Offender Reporting) Amendment Regulations 2009

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Community Protection (Offender Reporting) Amendment Regulations 2009*.

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 *Community Protection (Offender Reporting) Regulations 2004*.

4. Regulation 5 amended

In regulation 5:

- (a) in paragraph (h) delete “Kingdom.” and insert:

Kingdom);
- (b) after paragraph (h) insert:
 - (i) the *Sex Offender Information Registration Act* (2004 c. 10) (Canada).

By Command of the Governor,

PETER F. CONRAN, Clerk of the Executive Council.

— PART 2 —

CONSUMER AND EMPLOYMENT PROTECTION

CE401*

SUNDAY ENTERTAINMENTS ACT 1979

GOOD FRIDAY ENTERTAINMENT

I, Troy Raymond Buswell, Minister for Commerce, acting pursuant to Section 3(2) of the *Sunday Entertainments Act 1979*, do hereby declare that the provisions of Section 3(1) of the Act shall not apply to, or in relation to, any person involved in operating the Pot Black Family Pool and Snooker Centres specified in the Schedule from 12.00 noon to 12.00 midnight on Good Friday, 10 April 2009.

SCHEDULE

- 106 James Street, Northbridge
- 5 Mallard Way, Cannington
- 1st Floor, Hillarys Boat Harbour, West Coast Highway, Sorrento
- 464 Fitzgerald Street, North Perth
- 8/2209 Albany Highway, Gosnells

TROY BUSWELL BEc MLA, Minister for Commerce.

CORRECTIVE SERVICES

CS401*

COURT SECURITY AND CUSTODIAL SERVICES ACT 1999

PERMIT DETAILS

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

Surname	First Name(s)		Permit Number	Date Permit Issued	Permit Commence Date	Permit Expiry Date
Bennett	Ronald	James	CS9-372	13/02/09	13/02/09	30/07/2011
Greaves	Leola	Patricia	CS9-373	13/02/09	13/02/09	30/07/2011
Jecks	Kimberley	Robert	CS9-374	13/02/09	13/02/09	30/07/2011
Lilleyman	Lynette	Ruth	CS9-375	13/02/09	13/02/09	30/07/2011
Maybury	Mark	Alan	CS9-376	13/02/09	13/02/09	30/07/2011
Roberts	Lynette	Joy	CS9-378	13/02/09	13/02/09	30/07/2011
Stobbie	Alexander	Charles	CS9-379	13/02/09	13/02/09	30/07/2011
Tudor	Christopher	Mark	CS9-380	13/02/09	13/02/09	30/07/2011
Turner	Caprice	Pania	CS9-381	13/02/09	13/02/09	30/07/2011
Weston	Steven	Mark	CS9-382	13/02/09	13/02/09	30/07/2011

This notice is published under section 57(1) of the *Court Security and Custodial Services Act 1999*.

BRIAN LAWRENCE, CSCS Contract Manager.

FISHERIES

FI401*

FISH RESOURCES MANAGEMENT ACT 1994
WEST COAST ROCK LOBSTER MANAGEMENT PLAN
AMENDMENT 2009

FD 1064/01 [897]

Made by the Minister under section 54.

1. CitationThis instrument is the *West Coast Rock Lobster Management Plan Amendment 2009*.**2. Management plan amended**The amendment in this instrument is to the *West Coast Rock Lobster Management Plan 1993*.**3. Clause 10 replaced**

Clause 10 is deleted and the following clause is inserted instead—

Access to the Big Bank area prohibited**10.** A person must not operate in the Big Bank area of the Fishery at any time.

Dated this 6th day of February 2009.

NORMAN MOORE, Minister for Fisheries.

HEALTH

HE401*

MEDICAL PRACTITIONERS ACT 2008
MEDICAL (UNMET AREA OF NEED) DETERMINATION (NO. 2) 2009Made by the Minister for Health pursuant to section 34(1) of the *Medical Practitioners Act 2008*.**1. Citation**This determination may be cited as the *Medical (Unmet Area of Need) Determination (No. 2) 2009*.**2. Commencement**This determination comes into operation on the day on which it is published in the *Government Gazette*.**3. Unmet area of need**

The area of need specified in the Schedule is determined to be an unmet area of need for the purposes of section 34(2)(b)(iv) of the Act.

4. Expiry of determination

This determination expires two years after its commencement.

Schedule

GENERAL MEDICAL SERVICES AT THE SURGERY IN THE CITY OF ALBANY.

Dated this 11th day of February 2009.

KIM HAMES MLA, Deputy Premier;
Minister for Health.

HE402*

MENTAL HEALTH ACT 1996
FUNCTIONS OF THE COUNCIL OF OFFICIAL VISITORS DIRECTION 2009

Made by the Minister under section 186 of the Act.

1. CitationThis direction made be cited as the *Functions of the Council of Official Visitors Direction 2009*.

2. Commencement

This direction comes into operation as follows—

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

3. Revocation

The *Functions of the Council of Official Visitors Direction (No.2) 2008**, is revoked.

[*Published in the *Gazette* 18 April 2008, pp. 1484-1485.]

4. Visits to private psychiatric hostels

The Council of Official Visitors is to ensure that an official visitor or panel visits each place listed in the Table to this clause at least once every 2 months.

Table

56 GLYDE ST, 56 Glyde St, East Fremantle
 58 GLYDE ST, 58 Glyde St, East Fremantle
 ALBANY COMMUNITY SUPPORTED RESIDENTIAL UNITS, Ballard Heights, Spencer Park, Albany
 AITKEN HOUSE, 55 View St, North Perth
 BENTLEY VILLAS, Channon St, Bentley
 BURSWOOD HOSTEL, 16 Duncan St, Burswood
 BUSSELTON COMMUNITY SUPPORTED RESIDENTIAL UNITS, Powell Court, Busselton
 CASSON HOUSE, 2-10 Woodville St, North Perth
 DEVENISH LODGE, 54 Devenish St, East Victoria Park
 DUDLEY HOUSE, 24 Dudley St, Midland
 FRANCISCAN HOUSE, 16 Hampton Rd, Victoria Park
 HONEYBROOK LODGE, 42 John St, Midland
 KELMSCOTT COMMUNITY SUPPORTED RESIDENTIAL UNITS, 25 Hicks Road, Kelmscott
 MANN WAY, 4-6 Mann Way, Bassendean
 NGURRA NGANHUNGU BARNDIYIGU, Onslow St, Geraldton
 QUEENS PARK, 21-23 Walton St, Queens Park
 ROMILY HOUSE, 19 Shenton Rd, Claremont
 ROSEDALE LODGE, 22 East St, Guildford
 ST. JUDE'S HOSTEL, 26 & 30-34 Swan St, Guildford
 SALISBURY HOME, 19-21 James St, Guildford
 VINCENTCARE BASSENDEAN HOUSE, 1 North St, Bassendean
 VINCENTCARE BAYSWATER HOUSE, 65 Whatley Crescent, Bayswater
 VINCENTCARE COOLBELLUP HOUSE, 66 Waverley Rd, Coolbellup
 VINCENTCARE DUNCRAIG HOUSE, 270 Warwick Rd, Duncraig
 VINCENTCARE SOUTH LAKES HOUSE, 9 Plumridge Way, South Lake
 VINCENTCARE SWAN VIEW HOUSE, 8 Wilgee Gardens, Swan View
 VINCENTCARE-VINCENTIAN VILLAGE, 2 Bayley St, Woodbridge
 VINCENTCARE WARWICK HOUSE, 39 Glenmere Rd, Warwick
 VIOLET MAJOR HOUSE, 47 View St, North Perth
 WOODVILLE HOUSE, 425 Clayton Rd, Helena Valley

Dr GRAHAM JACOBS MLA, Minister for Mental Health.

HERITAGE

HR401*

HERITAGE OF WESTERN AUSTRALIA ACT 1990

ENTRY OF PLACES IN THE REGISTER OF HERITAGE PLACES

Notice is hereby given in accordance with section 51(2) of the *Heritage of Western Australia Act 1990* that, pursuant to directions from the Minister for Heritage, the places described in Schedule 1 have been entered in the Register of Heritage Places on a permanent basis with effect from today.

Schedule 1

Description of Place

Alice Williams Memorial Building, Nungarin at 44 Railway Ave, Nungarin; Lot 8 on DP 222933 being the whole of the land contained in C/T V 1352 F 227.

Lady Novar Hostel (fmr), Wyalkatchem at Cnr. Honour Avenue and Slocum Street, Wyalkatchem; Lot 148 on DP 142368 being Res 17586 and the whole of the land contained in CLT V 3018 F 490.

Memorial Gardens & Recreation Reserve, Mount Lawley at Queens Crescent, Storthes Street, Rookwood Street and Clifton Crescent, Mount Lawley; Lot 6 on Diagram 3050 being the whole of the land contained in C/T V 749 F 149.

NOTICE OF ADVICE REGARDING REGISTRATION OF CROWN PROPERTY

In accordance with section 47(5) of the *Heritage of Western Australia Act 1990*, the Heritage Council hereby gives notice that it has advised the Minister for Heritage that it has resolved that—

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

The places will be entered in the Register of Heritage Places on an interim basis with effect from today in accordance with section 50(1)(b) of the *Heritage of Western Australia Act 1990*. The places listed in Schedule 2 are vested in the Crown, or in a person on behalf of the Crown, in right of the State.

The Heritage Council hereby invites submissions as to whether the places listed in Schedule 2 should be entered in the Register of Heritage Places on a permanent basis. The submissions must be in writing and should be forwarded to the address set out below not later than 3 April 2009.

Schedule 2

Description of Place

Albany Golf Course at Golf Links Road; Ptn of Lot 1386 on DP 162949 being part of Res 41267 and part of the land contained in CLT V 3123 F 706, that ptn of Albany Lot 1154 being the severance east of Golf Links Road and being part of Res 27629 and part of the land contained in CLT V 3092 F 32, Lot 1378 being part of Res 27269 and the whole of the land contained in CLT V 3117 F 228 and Albany Lot 1130 being part of Res 27269 and the whole of the land contained in CLT V 3117 F 229 together as shown on HCWA Survey Drawing No. 4177 Revision "C" prepared by McMullen Nolan Surveyors.

Salmon Gums Research Station (fmr) at 1663 Machens Rd, 2km west of Salmon Gums; Ptn of Lot 1663 on DP 240339 being part of Res 19549 and part of the land contained in CLT V 3127 F 102 as shown on HCWA Survey Drawing No. 16599 prepared by McMullen Nolan Surveyor.

STEPHEN CARRICK, A/Director,
Office of the Heritage Council of W.A.,
108 Adelaide Terrace,
East Perth WA 6004.

Dated: 20 February 2009.

LANDS

LA401*

TRANSFER OF LAND ACT 1893

APPLICATION K738097

Take notice that George Roman Milosz of 5 Blue Gum Court, Upwey in the state of Victoria has made application to be registered under the Act as proprietor of an estate in fee simple in possession in the land situated at Morrison Road, Midland being portion of Swan Location 15 and being Lot 125 on Plan 2130 containing 1366 square metres being the whole of the Land comprised in Memorial Book XXX No.152.

All persons other than the applicant claiming any estate right title or interest in the above land and desiring to object to the application are required to lodge in this office on or before 25 March 2009 a caveat forbidding the land being brought under the operation of the Act.

BRUCE ROBERTS, Registrar of Titles.

LOCAL GOVERNMENT

LG401*

LOCAL GOVERNMENT ACT 1995*City of Swan*

(BASIS OF RATES)

Department of Local Government
and Regional Development.

DLGRD: SW5-4#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 G. M. (John) Castrilli MLA, 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 30 November 2008.

JENNIFER MATHEWS, Director General.

Schedule

ADDITIONS TO GROSS RENTAL VALUE AREA

CITY OF SWAN

All that portion of land being Lot 403 as shown on Deposited Plan 55161 and Lot 5992, Lot 5993, Lots 5996 to 6000 inclusive, Lots 6226 to 6230 inclusive, Lots 6320 to 6323 inclusive, Lots 6332 to 6337 inclusive, Lot 6376, Lot 6377, Lots 6526 to 6547 inclusive and Lots 6551 to 6574 inclusive as shown on Deposited Plan 56697.

LG402*

LOCAL GOVERNMENT ACT 1995*City of Swan*

(BASIS OF RATES)

Department of Local Government
and Regional Development.

DLGRD: SW5-4#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 G. M. (John) Castrilli MLA, 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 3 November 2008.

JENNIFER MATHEWS, Director General.

Schedule

ADDITIONS TO GROSS RENTAL VALUE AREA

*CITY OF SWAN**All those portions of land comprised in the schedules below—***SCHEDULE "A"**

All that portion of land being Lot 360 as shown on Deposited Plan 28342; Lot 203 and Lot 207 as shown on Deposited Plan 30807; Lot 24 as shown on Deposited Plan 31539; Lot 1180 as shown on Deposited Plan 37099; Lot 1 as shown on Deposited Plan 45621; Lot 800 as shown on Deposited Plan 51422; Lot 1546 as shown on Deposited Plan 101347; Lot 2968 and Lot 2980 as shown on Deposited Plan 202240; Lot 2552 as shown on Deposited Plan 231317; Lot 2041 as shown on Deposited Plan 61873 and Lot 2 as shown on Strata Plan 31458.

SCHEDULE "B"

All that portion of land being Lot 50 as shown on Diagram 805; Lot 2 as shown on Diagram 5973; Lot 2 as shown on Diagram 6280; Lot 18 as shown on Diagram 7164; Lot 2 as shown on Diagram 9436; Lot 2 and Lot 3 as shown on Diagram 10005; Lot 2 as shown on Diagram 13124; Lot 1 as shown on Diagram 22890; Lot 2 as shown on Diagram 29425; Lot 10 as shown on Diagram 31418; Lot 19 as shown on Diagram 38176; Lot 10264 as shown on Diagram 40570; Lot 8 as shown on Diagram 42726; Lot 1 as shown on Diagram 43016; Lot 50 as shown on Diagram 48395; Lot 5 as shown on Diagram 49950; Lot 44 as shown on Diagram 53940; Lot 45 as shown on Diagram 65912; Lot 91 as shown on Diagram 66737; Lot 34 and Lot 50 as shown on Diagram 68651; Lot 63 and Lot 64 as shown on Diagram 68873; Lot 217 as shown on Diagram 69343; Lot 6 as shown on Diagram 73212; Lot 100 as shown on Diagram 73461; Lot 11 as shown on Diagram 73907; Lot 18 as shown on Diagram 74426; Lot 55 and Lot 56 as shown on Diagram 76612; Lot 3 as shown on Diagram 77496; Lot 97 as shown on Diagram 77531; Lots 12 to 14 inclusive as shown on Diagram 79086; Lot 1 and Lot 2 as shown on Diagram 79568; Lot 26 as shown on Diagram 80257; Lot 150 as shown on Diagram 80467; Lot 55 as shown on Diagram 82765; Lot 149 as shown on Diagram 82770; Lot 13 as shown on Diagram 83336; Lot 22 as shown on Diagram 83345; Lot 4 as shown on Diagram 83382; Lot 25 as shown on Diagram 83533; Lot 101 as shown on Diagram 83664; Lot 6 as shown on Diagram 83855; Lot 9 as shown on Diagram 83856; Lot 11 as shown on Diagram 84466; Lot 56 as shown on Diagram 86705; Lot 54 as shown on Diagram 88775; Lot 32 as shown on Diagram 88888; Lot 51 as shown on Diagram 89074; Lot 1 as shown on Diagram 89637; Lot 1 as shown on Diagram 89838; Lot 7 as shown on Diagram 90488; Lot 3 as shown on Diagram 91284; Lot 22 as shown on Diagram 91926; Lot 56 as shown on Diagram 91973; Lot 406 as shown on Diagram 93187; Lot 19 as shown on Diagram 93559; Lot 20 as shown on Diagram 94010; Lot 52 as shown on Diagram 94262; Lot 100 as shown on Diagram 94413; Lot 501 as shown on Diagram 94425; Lot 308 as shown on Diagram 94779; Lot 203 as shown on Diagram 95143; Lot 261 as shown on Diagram 95650; Lot 1 as shown on Diagram 95703; Lot 508 as shown on Diagram 95990; Lot 2 as shown on Diagram 96250; Lot 60 as shown on Diagram 96295; Lot 521 as shown on Diagram 97003; Lot 117 as shown on Diagram 97119; Lot 512 as shown on Diagram 97201 and Lot 16 as shown on Diagram 97615.

SCHEDULE "C"

All that portion of land being Lot 9 as shown on Plan 1122; Lot 32 as shown on Plan 2235; Lot 47 and Lot 80 as shown on Plan 2747; Lot 44 as shown on Plan 3106; Lot 14 as shown on Plan 3220; Lot 74, Lot 75, Lot 247, Lot 248, Lot 258, Lot 266, Lot 281 and Lot 284 as shown on Plan 3598; Lot 547, Lot 550, Lot 551, Lot 599, Lot 609, Lot 611, Lot 612, Lot 615, Lot 616 and Lot 625 as shown on Plan 3698; Lot 19 as shown on Plan 3830; Lot 63 as shown on Plan 3952; Lot 48 as shown on Plan 4460; Lot 10 as shown on Plan 4466; Lot 58, Lot 76 and Lot 82 as shown on Plan 4539; Lot 100 and Lot 120 as shown on Plan 4553; Lot 22 as shown on Plan 4911; Lot 80 as shown on Plan 7115; Lot 10 as shown on Plan 7216; Lot 14 as shown on Plan 8006; Lot 31 as shown on Plan 8094; Lot 23 and Lot 30 as shown on Plan 13612; Lot 101 as shown on Plan 13745; Lot 111 as shown on Plan 13789; Lots 27 to 30 inclusive as shown on Plan 13812; Lots 32 to 34 inclusive as shown on Plan 13952; Lot 103, Lot 109, Lot 110, Lot 112, Lot 114, Lot 117, Lot 120 and Lots 123 to 125 inclusive as shown on Plan 13979; Lot 14 as shown on Plan 14129; Lot 38, Lot 42, Lot 43, Lot 45, Lot 46, Lot 48 as shown on Plan 14135; Lot 39 as shown on Plan 14137; Lot 28 and Lot 31 as shown on Plan 14138; Lot 53 as shown on Plan 14245; Lot 56 as shown on Plan 14483; Lot 123 as shown on Plan 14510; Lot 88 as shown on Plan 14639; Lot 116 and Lot 119 as shown on Plan 15429; Lot 132 and Lot 133 as shown on Plan 15430; Lot 31, Lot 37 and Lot 39 as shown on Plan 15620; Lot 56, Lot 65 and Lot 67 as shown on Plan 15622; Lot 92, Lot 93 and Lot 185 as shown on Plan 15623; Lot 86, Lot 89, Lot 112, Lot 114, Lot 115, Lot 120, Lot 123, Lot 149, Lot 155, Lot 157, Lot 158, Lot 161 and Lot 181 as shown on Plan 15624; Lot 167 and Lot 170 as shown on Plan 15625; Lot 97, Lot 189, Lot 190, Lot 191, Lot 193, Lot 202 and Lot 204 as shown on Plan 15626; Lot 107, Lot 108, Lot 127 and Lot 140 as shown on Plan 15965; Lot 157 and Lot 163 as shown on Plan 16376; Lot 22 as shown on Plan 16405; Lot 26 as shown on Plan 16463; Lot 37 as shown on Plan 17263; Lot 52, Lot 96 and Lot 97 as shown on Plan 17264; Lot 263, Lot 266, Lot 272, Lot 277, Lot 279, Lot 284, Lot 285 and Lot 304 as shown on Plan 17355; Lot 253, Lot 255, Lot 259, Lot 267, Lot 270, Lot 273, Lot 276, Lot 287 and Lot 298 as shown on Plan 17356; Lot 58, Lot 104, Lot 105 as shown on Plan 17678; Lot 74, Lot 101, Lot 103 as shown on Plan 17680; Lot 84 as shown on Plan 17682; Lot 113 as shown on Plan 17684; Lot 118 and Lot 122 as shown on Plan 17685; Lot 141 and Lot 144 as shown on Plan 17785; Lot 18 as shown on Plan 18381; Lot 69 as shown on Plan 18949; Lot 71, Lot 72, Lot 74, Lot 76 and Lot 77 as shown on Plan 18950; Lot 79 and Lot 80 as shown on Plan 18951; Lot 101 as shown on Plan 19143; Lot 10 and Lot 11 as shown on Plan 20021; Lot 13, Lot 17 and Lot 18 as shown on Plan 20023; Lot 1, Lot 4, Lot 5 and Lot 7 as shown on Plan 20561; Lot 10 as shown on Plan 20988; Lot 526, Lot 528, Lot 534 and Lot 539 as shown on Plan 21560; Lot 583 as shown on Plan 21561; Lot 543 and Lot 544 as shown on Plan 21569; Lot 121, Lot 125, Lot 130 and Lot 171 as shown on Plan 21647; Lot 170, Lot 176, Lot 177 and Lot 178 as shown on Plan 21648; Lot 242 as shown on Plan 21649; Lot 46 as shown on Plan 21740; Lot 580 as shown on Plan 21905; Lot 56 as shown on Plan 22056; Lot 202, Lot 204, Lot 210 and Lot 215 as shown on Plan 22065; Lot 549, Lot 566, Lot 567 and Lot 570 as shown on Plan 22099; Lot 10 as shown on Plan 22114; Lot 11, Lot 13 and Lot 19 as shown on Plan 22434; Lot 564 and Lot 565 as shown on Plan 22527; Lot 166, Lot 168 and Lot 180 as shown on Plan 22593; Lot 127 as shown on Plan 22878; Lot 90 as shown on Plan 22880; Lot 523 as shown on Plan 23017; Lot 6 as shown on Plan 23073; Lots 51 to 53 inclusive, Lot 57, Lot 63 and Lot 70 as shown on Plan 23362; Lot 574 and Lot 578 as shown on Plan 23426; Lot 237 as shown on Plan 23508; Lot 258 and Lot 310 as shown on Plan 23509; Lot 115 as shown on Plan 23671; Lot 103, Lot 105, Lot 108, Lot 113 and Lot 114 as shown on Plan 23676; Lot 226 as shown on Plan 23678 and Lot 127 as shown on Plan 23755.

MARINE/MARITIME

MX401*

WESTERN AUSTRALIAN MARINE ACT 1982
NAVIGABLE WATERS REGULATIONS 1958

AQUATIC EVENTS AND WATER SKI AREA

Mandurah Crab-Fest 2009

Department for Planning and Infrastructure,
Fremantle WA, 20 February 2009.

Acting pursuant to the powers conferred by Section 67 of the *Western Australian Marine Act 1982*, the department by this notice revokes Notice TR401 as published in the *Government Gazette* on 27 July 1999 relating to the 8 knot speed limit on the Mandurah Estuary in the following waters only—

Mandurah Estuary

All the waters north of the Old Mandurah Bridge to a line drawn north-northwest from the northern most point of Hall Park to a point on the opposite foreshore, 130 metres south east of the southern entrance groyne of the Mandurah Ocean Marina. Providing that this revocation will apply only between 9 am and 1930 pm on Saturday 7th March 2009 and between 9 am and 1700 pm on Sunday 8th March 2009.

Furthermore, pursuant to the powers conferred by Section 66 of the *Western Australian Marine Act 1982*, that the above navigable waters will become a Boating Prohibited area that will apply to all vessels, other than bona fide vessels competing in approved aquatic events during Crab Fest 2009.

Furthermore, that subject to Regulation 48 (a), (b), (c), (d) and (e) *Navigable Waters Regulations 1958*, all the above navigable waters may be used for water skiing by bona fide vessels competing in approved aquatic events during Crab Fest 2008 being held by the City of Mandurah.

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

MINERALS AND PETROLEUM

MP401*

OFFSHORE PETROLEUM AND GREENHOUSE GAS STORAGE ACT 2006

EXPIRATION OF PRODUCTION LICENCE

Production Licence No. WA-7-L held by Chevron Australia Pty Ltd, Chevron (TAPL) Pty Ltd, Mobil Australia Resources Company Pty Limited and Santos Offshore Pty Ltd expired on 3 February 2009

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

MP402*

MINING ACT 1978

FORFEITURE

Department of Mines and Petroleum,
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 the non-lodgement of the annual Operations Report (Form 5).

NORMAN MOORE MLC, Minister for Mines and Petroleum.

Number	Holder	Mineral Field
EXPLORATION LICENCES		
08/1575	Baracus Pty Ltd	Ashburton
09/1202	Baracus Pty Ltd	Gascoyne
16/325	Meridian Mining Ltd	Coolgardie
51/1192	Raptor Exploration Pty Ltd	Murchison

Number	Holder	Mineral Field
EXPLORATION LICENCES— <i>continued</i>		
51/1195	Goldlaw Pty Ltd	Murchison
69/1901	Dalla-Costa; Melville Raymond	Warburton
69/2162	Ausnom Pty Ltd	Warburton
70/2929	Lyle; Derek Travis; William	South West
80/2803	Taylor; Godfrey Edward	Kimberley
MINING LEASES		
40/50	Goldstream Minerals & Exploration Pty Ltd	North Coolgardie
77/508	Graham; Robert John	Yilgarn

MP403*

MINING ACT 1978
FORFEITURE

Department of Mines and Petroleum,
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, being non payment of rent.

NORMAN MOORE MLC, Minister for Mines and Petroleum.

Number	Holder	Mineral Field
EXPLORATION LICENCES		
04/1501	Northwest Diamonds Ltd	West Kimberley
36/310	McKnight; Russell Geoffrey	East Murchison
45/2542	Talga Gold Pty Ltd	Pilbara
51/1195	Goldlaw Pty Ltd	Murchison
69/1901	Dalla-Costa; Melville Raymond	Warburton
69/2247	Redstone Resources Ltd	Warburton
69/2248	Redstone Resources Ltd	Warburton
69/2271	Holme; Donald Thomas	Warburton
69/2280	Redstone Resources Ltd	Warburton
77/1313	Meridian Mining Ltd	Yilgarn
80/2803	Taylor; Godfrey Edward	Kimberley
MINING LEASES		
77/964	Tectonic Resources NL	Yilgarn
80/519	Ngoonjuwah Council Aboriginal Corporation	Kimberley

MP404*

MINING ACT 1978
INTENTION TO FORFEIT

Department of Mines and Petroleum,
Perth WA 6000.

In accordance with Regulation 50(b) of the *Mining Regulations 1981*, notice is hereby given that unless the rent due on the under mentioned licences and leases is paid on or before 23 March 2009 it is the intention of the Minister for Mines and Petroleum under the provisions of sections 96A(1) and 97(1) of the *Mining Act 1978* to forfeit such for breach covenant, being non-payment of rent.

JIM GRIFFIN, Acting Director General.

Number	Holder	Mineral Field
EXPLORATION LICENCES		
04/1427	Serenity Cove Holdings Pty Ltd	West Kimberley
21/128	Bluekebble Pty Ltd Zircon International Pty Ltd	Murchison

Number	Holder	Mineral Field
EXPLORATION LICENCES—continued		
29/598	WCP Resources Ltd	North Coolgardie
31/682	Gianni; Peter Romeo	North Coolgardie
39/1164	Wiltshire; Peter Andrew	Mt Margaret
39/1216	Baymoon Pty Ltd	Mt Margaret
51/1081	Locatore Pty Ltd	Murchison
52/2142	Australian Outback Mining Pty Ltd	Peak Hill
52/2143	Australian Outback Mining Pty Ltd	Peak Hill
52/2144	Australian Outback Mining Pty Ltd	Peak Hill
59/1272	Mason; Gary Heitman; Kevin John	Yalgoo
66/47	Redstone Minerals Pty Ltd	Northampton
77/1329	Jindalee Resources Ltd	Yilgarn
80/3365	Bonaparte Diamond Mines NL	Kimberley
80/3366	Bonaparte Diamond Mines NL	Kimberley
80/3746	Baymoon Pty Ltd	Kimberley
80/3801	Austar Resources Pty Ltd	Kimberley
MINING LEASES		
08/117	Hanson Construction Materials Pty Ltd	Ashburton
15/468	ABM Resources Pty Ltd	Coolgardie
15/1337	Meridian Mining Ltd	Coolgardie
16/352	Blacker; Peter Eric Blacker; Garry Lewis	Coolgardie
39/615	Thompson; Alan David	Mt Margaret
40/111	Kookynie Resources Pty Ltd FMR Investments Pty Limited	North Coolgardie
63/220	Central Norseman Gold Corporation Ltd	Dundas
70/741	ADE Environmental Pty Ltd	South West

MP405*

MINING ACT 1978
INTENTION TO FORFEIT

Department of Mines and Petroleum,
Perth WA 6000.

In accordance with Regulation 50(b) of the *Mining Regulations 1981*, notice is hereby given that unless the rent due on the under mentioned mining tenements is paid on or before 20 March 2009 it is the intention of the Minister for Mines and Petroleum under the provisions of sections 96A(1) and 97(1) of the *Mining Act 1978* to forfeit such for breach covenant, being non-payment of rent.

JIM GRIFFIN, Acting Director General.

Number	Holder	Mineral Field
EXPLORATION LICENCES		
04/1423	Baracus Pty Ltd	West Kimberley
04/1500	Northwest Diamonds Ltd	West Kimberley
09/1043	GTI Resources Ltd	Gascoyne
29/599	WCP Resources Ltd	North Coolgardie
29/600	WCP Resources Ltd	North Coolgardie
45/2383	Muccan Minerals Pty Ltd	Pilbara
45/2385	Muccan Minerals Pty Ltd	Pilbara
46/679	WITX Pty Ltd	Pilbara
53/1069	Cullen Exploration Pty Ltd	East Murchison
69/2310	Dalla-Costa; Melville Raymond	Warburton
80/3430	North Australian Diamonds Ltd	Kimberley
80/3508	Ochre Resources Ltd	Kimberley
MINING LEASES		
09/50	RAD Resources Pty Ltd	Gascoyne
15/696	Cazaly Resources Ltd	Coolgardie
15/1339	Boyes; Charles Joseph	Coolgardie
16/32	Paddington Gold Pty Ltd	Coolgardie

MP406***MINING ACT 1978****INSTRUMENT OF CANCELLATION OF 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 CANCELS the exemption of land described hereunder. The subject land is now subject to Divisions 1 to 5 of Part IV of the *Mining Act 1978*.

Description of Land

The land designated S19/17 in TENGRAPH

Area

725 hectares

Locality

Bulong

Dated at Perth this 9th day of February 2009.

NORMAN MOORE MLC, Minister for Mines and Petroleum.

PLANNING AND INFRASTRUCTURE

PI101**CORRECTION***PLANNING AND DEVELOPMENT ACT 2005****METROPOLITAN REGION SCHEME MINOR AMENDMENT 1155/57****Drovers Place Precinct**

File No.: 833-2-30-118

It is hereby notified for public information that the notice for MRS Amendment 1155/57 published at pages 281 and 282 of the *Government Gazette* dated 10 February 2009, contained an error which is now corrected by deleting the words "as advertised" and replacing with the words "as modified" wherever they appear.

TIM HILLYARD, Acting Secretary,
Western Australian Planning Commission.

PI401***PLANNING AND DEVELOPMENT ACT 2005****APPROVED LOCAL PLANNING SCHEME AMENDMENT***City of Armadale***Town Planning Scheme No. 4—Amendment No. 43**

Ref: 853/2/22/7 Pt 43

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 Armadale local planning scheme amendment on 21 January 2009 for the purpose of—

1. Rezoning portions of Lots 4 to 7, 25, 30 and Part 46 Wright Road, Lots 10, 11 (A and B), 12, 30 to 31, 45 and 58 Armadale Road, Lots 2 to 6 and portion of Lot 40 Nicholson Road and Lot 12 Mason Road Piara Waters from 'General Rural', 'Rural Living X' and Reservation for Public Purpose to 'Urban Development' and amend the Scheme Maps accordingly;
2. Defining the area comprising the subject lots, in appropriate numerical order, as a 'Development (Structure Plan) Area' on the Special Control Areas map;
3. Modifying the boundaries of Development Contribution Area No. 3 to include the subject lots (excluding Lots 2 and 3 corner of Armadale and Nicholson Roads) within the boundaries of 'Development Contribution Area No. 3' on the Special Control Areas map;

4. Amending Schedule 12—Development (Structure Planning) Areas—to include the following new entry—

No.	Description of Land	Additional provisions applicable to subdivision and development
35	North Forrestdale Third Stage Urban Development Area, being Lots 4 to 7, 25, 30 and Part 46 Wright Road, Lots 10, 11 (A and B), 12, 30 to 31, 45 and 58 Armadale Road, Lots 2 to 6 and portion of Lot 40 Nicholson Road and Lot 12 Mason Road Piara Waters.	<p>1. Subdivision shall occur in accordance with a Structure Plan for the Third Stage Urban Development Area to be prepared pursuant to the provisions outlined in Part 6A;</p> <p>2. The Structure Plan shall incorporate assessments and recommend design and management responses to the satisfaction of the City for the following environmental planning factors—</p> <ul style="list-style-type: none"> i. The urban water management recommendations in the Southern River / Forrestdale / Brookdale / Wungong District Structure Plan—Urban Water Management Strategy and subsequent guidelines for integrating urban water management with land use planning in the North Forrestdale urban development area; ii. Survey assessments of existing flora and fauna, heritage sites, conservation category wetlands, land contamination, acid sulphate soils, sources of noise or odour impacts on development and interfaces to adjacent conservation areas; <p>3. All landowners within the Development Contribution Area covering the Third Stage Urban Development Area shall make a proportional contribution to the costs of infrastructure in accordance with a Development Contribution Plan prepared pursuant to Part 6B and Schedule 13—Development Contribution Plans.</p>

5. Modifying Development Contribution Plan No. 3 by—

- (a) In Clause 6B.4.4 (c) remove the word “and” at the end of the sentence.
- (b) In Schedule 13B Development Contribution Plans No. 3 amend the clauses as follows—
 - (i) Clause 3.6.3 (1) (b) replace the words “from Lots 82, 106 and 107 Wright Road” with “or land ceded free of cost from adjoining lots”.
 - (ii) Clause 3.6.3 (5) replace the words “Ranford Road and Wright Road Intersections” with the words “Intersections with Ranford and Armadale Roads”.
 - (iii) Clause 3.6.3 (5) (a) add the words “at Ranford Road and Wright Road” between the words “signalised intersection” and “, except those”, and replace the words “Lots 106 and 107 Wright Road” with “adjacent lots”.
 - (iv) Clause 3.6.3 (5) (b) add the words “at Ranford Road and Wright Road” between the words “intersection” and “installing traffic signals”.
 - (v) After Clause 3.6.3 (5) (b) add the following Clauses;
 - “(c) 100% of the cost of temporary intersection works/upgrading of the intersection of Armadale Road and Wright Road, including any road widenings, minus any contributions and grants from external sources;
 - (d) 75% of the cost of temporary intersection works/upgrading of the intersection of Armadale Road and the distributor road to the Primary School, including any road widenings, minus any contributions and grants from external sources.”.
 - (vi) Clause 3.6.3 (6) replace the words “100% of” with “A contribution towards”
 - (vii) Clause 3.6.3 (6) (c) add the words “from Warton Road to Anstey Road” at the end of the sentence.
 - (viii) Clause 3.6.3 (7) (a) add the words “for Ballanup Drain” after “interval event”, and add the words “as identified in the adopted Infrastructure Cost Schedule” at the end of the sentence.
 - (ix) After Clause 3.6.3 (7) (e) add the following—
 - “(f) 100% of the cost of acquiring land or easements for the arterial drainage multiple use corridors up to 10 year average recurrence interval event for part of James Drain north of Armadale Road, and James Drain south of Armadale Road to Forrestdale Lake, as identified in the adopted Infrastructure Cost Schedule.
 - (g) 100% of the cost of implementing administrative measures to ensure access in perpetuity along James Drain from Armadale Road to Commercial Road for the City of Armadale and any other drainage utilities responsible for management of the drain.

- (h) Initial maintenance works in James Drain from the northern boundary of Armadale Road to Forrestdale Lake including upgrading of the drainage channel and including upgrading culverts at road crossings including those at Armadale Road and Nicholson Road.”.
- (x) After Clause 3.7.3 (8) (f) add the following—
- “(g) 100% of the cost of building a combined sporting pavilion/ community meeting rooms on the proposed public open space in the area known as Structure Plan (SP) South, inclusive of change rooms, toilets, storage, community meeting space, car parking, a playground and landscaping, minus any probable or received grant funding.”.
- (xi) Clause 3.4.3 (a) (i) add the words “and rounding down to the nearest 400m² unit” at the end of the sentence.
- (xii) Clause 3.4.3 (c) add the sentence “No rounding is to apply to this calculation” at the end of the Clause;
- (xiii) Clause 3.6.3 (7) (b) replace the words “100% of the” at the beginning of the sentence with “A contribution of approximately 100% of the”, after the word “constructing” remove the word “the” and replace with “an”, and between the words “and adjacent” insert the words “100% of the cost of constructing the arterial drainage channel”.
- (xiv) Insert a new Clause 3.10.3 after Clause 3.10.2 that reads “An owner who undertakes pre-funded works or provides land in accordance with Clause 3.8 should lodge a first and final claim for credit that includes relevant records within one year of completing the agreed works, unless agreed otherwise by the City. If a claim for credit is not lodged within one year, the City may determine that the time period for claiming credit has expired and it is no longer liable for payment of the prefunded works or land”
- (xv) Renumber the former Clause 3.10.3 to Clause 3.10.4 and add the words “or defer the adjustment to the next review undertaken as per Clause 3.13 of Development Contribution Plan No. 3” to the end of the sentence.
- (xvi) Renumber the former Clause 3.10.4 to 3.10.5 and add the words “provided the credit is sought before the period identified in Clause 3.10.3” after the words “Schedule 13B”.
- (xvii) Renumber the former Clause 3.10.5 to 3.10.6.
- (xviii) Clause 3.12.3 (c) replace “21” with “28”, and insert after the first sentence the following sentence “Proposed Values may be advertised concurrently as part of an Infrastructure Cost Schedule review carried out in accordance with Clause 3.13.”.
- (xix) After Clause 3.13.2 (c) add the following—
- “(d) Assessed Values;”
- (xx) Clause 3.13.6 put a full stop after the words “any other finding of the review” and replace the words “other than the Assessed Value which” with a new sentence that begins “Objections to Proposed Values advertised as part of the Infrastructure Cost Schedule Review” in front of the words “shall be dealt with”.
- (xxi) Clause 3.13.6 in between the sentence that ends “those elements that have been altered as part of the review” and that begins “Any objection received by the City in-accordance” insert the Clause number 3.13.7.
- (xxii) Delete the existing Clause 3.13.8.
- (xxiii) Re-number existing Clause 3.13.7 as 3.13.8, and existing Clause 3.13.9 as 3.13.10.
- (xxiv) Insert a new Clause 3.13.9 that reads as follows “If objections are received under Clause 3.13.7 (iii) the City may adopt a revised Infrastructure Cost Schedule and Cost Contribution per lot using a value being the average of that identified by the City and by the Owner until such time as the arbitration is determined”.
- (xxv) Amend the new Clause 3.13.10 by replacing “Where” with “When” at the beginning of the sentence and replacing the words “Clauses 13.3 or 13.3.8” with “Clause 13.3.7 (iii)”.
- (xxvi) Clause 3.1.1 replace the words “North Forrestdale First Stages Development Contribution Area” with “Development Contribution Area No. 3”.
- (xxvii) Clause 3.6.2 (a) delete the words “the North Forrestdale” and after the words Development Contribution Plan insert the words “No. 3 and subsequent amendments”.
- (xxviii) Clause 3.6.2 (b) replace the word “Specific” with “Specified”.
- (xxix) Clause 3.12.1 delete the words “the North Forrestdale” and add the words “No. 3” after the words “Development Contribution Plan”.
- (xxx) Clause 3.13.3 in the first sentence after the words “Infrastructure Cost Schedule” delete the words “in the Development Contribution Plan”.

PI402*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT

City of Bayswater

Town Planning Scheme No. 23—Amendment No. 3

Ref: 853/2/14/27 Pt 3

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the City of Bayswater local planning scheme amendment on 23 January 2009 for the purpose of—

1. Deleting the current Clause 4.11 of Town Planning Scheme No. 23.
2. Inserting a new Clause 4.11 into Town Planning Scheme No. 23 to read as follows—
 - 4.11 **HOME-BASED BUSINESSES**
 - 4.11.1 Planning approval is not required for the use or development of a “Home Office” in existing residential dwellings in accordance with Scheme Clause 3.5 d) provided that the use or development meets with the relevant definition and a registration form contained in Schedule 4 of this Scheme has been submitted to the satisfaction of the City of Bayswater.
 - 4.11.2 Planning approval is required for the use or development of a “Home Occupation”, “Home Business” or “Cottage Industry”.
 - 4.11.3 A person may, with the approval of the Council, conduct a home-based business in or from a dwelling. An approval to conduct a home-based business—
 - (a) is issued to a specific occupier of a particular parcel of land;
 - (b) shall not be transferred or assigned to any other person; and
 - (c) shall not be transferred from the land in respect of which it was granted.
 - 4.11.4 Should there be a change of the occupier of the land in respect of which a home-based business approval is issued, the approval is cancelled.
 - 4.11.5 If, in the opinion of Council, a home-based business is causing a nuisance or annoyance to owners or occupiers of land in the locality Council may rescind the approval.
 - 4.11.6 In making its decision on an application for approval for a home-based business the Council shall take into consideration the following matters—
 - (a) The provisions of any Town Planning Scheme, including this Scheme, affecting the land the subject of the application or any Scheme affecting land in the vicinity;
 - (b) The nature of the proposed home-based business in relation to the development of any other land in the vicinity;
 - (c) The size, shape and character of the parcel of land to which the application relates and the nature and siting of the proposed building, the view from the building and the interruption of view likely to be caused by the proposed building;
 - (d) Any representations which may be made by any statutory authority;
 - (e) The existing and likely future amenity of the neighbourhood, including (but without limiting the generality of the foregoing) the question of whether the proposed home-based business is likely to cause injury to such amenity including injury due to the emission of noise, vibration, light, smell, fumes, smoke, steam, vapour, steam, soot, ash, dust, grit, oil, liquid wastes or other waste products;
 - (f) The nature of the roads giving access to the land;
 - (g) What parking facilities are available or proposed, and the likely requirements for parking; and
 - (h) Any other matters the Council considers relevant.
 - 4.11.7 A “Home Office” as described in Clause 3.5 d) and Schedule 1: Interpretations of this Scheme is a Permitted use in existing dwellings in all Precincts described by this Scheme.
 - 4.11.8 A “Home Occupation” as described in Schedule 1: Interpretations of this Scheme is a Discretionary use in existing dwellings in all Precincts described by this Scheme, with the exception of Precinct 7.
 - 4.11.9 A “Home Business” as described in Schedule 1: Interpretations of this Scheme is a Discretionary use in existing dwellings in all Precincts described by this Scheme, with the exception of Precinct 7.
 - 4.11.10 A “Cottage Industry” as described in Schedule 1: Interpretations of this Scheme is a Discretionary use in existing dwellings in all Precincts described by this Scheme, with the exception of Precinct 7.
3. Schedule 1—Interpretations, of Town Planning Scheme No. 23 to be amended to include the following definition—

“Home-based business(es)” means a use including “Home Office”, “Home Occupation”, “Home Business” and “Cottage Industry” as defined in Schedule 1 of this Scheme.

4. Amending Schedule 1—Interpretations, of Town Planning Scheme No. 23 to delete the current definition of “Home Occupation”.
5. Amending Schedule I—Interpretations, of Town Planning Scheme No. 23 to included the following definitions—
 - **“Home Occupation”** means an occupation carried out in a dwelling or on land around a dwelling by an occupier of the dwelling which—
 - (a) does not employ any person not a member of the occupier’s household;
 - (b) will not cause injury to or adversely affect the amenity of the neighbourhood;
 - (c) does not occupy an area greater than 20 square metres;
 - (d) does not display a sign exceeding 0.2m² in area;
 - (e) does not involve the retail sale, display or hire of goods of any nature;
 - (f) in relation to vehicles and parking, does not result in the requirement for a greater number of parking facilities than normally required for a single dwelling or an increase in traffic volume in the neighbourhood, does not involve the presence, use or calling of a vehicle more than 2 tonnes tare weight, and does not include provision for the fuelling, repair or maintenance of motor vehicles; and
 - (g) does not involve the use of an essential service of greater capacity than normally required in the zone.
 - **“Home Business”** means a business, service or profession carried out in a dwelling or on land around a dwelling by an occupier of the dwelling which—
 - (a) does not employ more than 2 people not members of the occupier’s household;
 - (b) will not cause injury to or adversely affect the amenity of the neighbourhood;
 - (c) does not occupy an area greater than 50 square metres;
 - (d) does not involve the retail sale, display or hire of goods of any nature;
 - (e) in relation to vehicles and parking, does not result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic volumes in the neighbourhood, and does not involve the presence, use or calling of a vehicle more than 3.5 tonnes tare weight; and
 - (f) does not involve the use of an essential service of greater capacity than normally required in the zone.
 - **“Cottage Industry”** 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 0.2m² in area.
6. Schedule 4—Home Office Registration Checklist being inserted into Town Planning Scheme No. 23.

SCHEDULE 4

HOME OFFICE REGISTRATION CHECKLIST

Applicant name:

Address:

Contact Phone Number:

Street address of business (if different from above):

Brief description of business:

	Yes	No
Do you live at the above property?	<input type="checkbox"/>	<input type="checkbox"/>
Do you own the above property? (If not, you will require the written approval of the owner)	<input type="checkbox"/>	<input type="checkbox"/>
Number of persons employed?	_____	
Does the business involve the retail display or sale of goods from the site?	<input type="checkbox"/>	<input type="checkbox"/>
Does the business entail any clients visiting the site?	<input type="checkbox"/>	<input type="checkbox"/>

	Yes	No
Does the business require any deliveries to the site?	<input type="checkbox"/>	<input type="checkbox"/>
	Yes	No
Are any advertising signs proposed?	<input type="checkbox"/>	<input type="checkbox"/>
	Yes	No
Will there be any external changes to the dwelling?	<input type="checkbox"/>	<input type="checkbox"/>
	Yes	No
Does the business entail mechanical maintenance or repairs of machinery?	<input type="checkbox"/>	<input type="checkbox"/>

If you have answered yes to any of these questions, you may not fit the definition of a Home Office.

If you have any questions, please contact the City of Bayswater's Planning Department on 9272 0622.

Declaration

The applicant hereby applies to conduct a Home Office at the above address and confirms that the business description and particulars described above are true.

Signature Date

Please note: It is the responsibility of the applicant to advise the City of Bayswater of any changes to the information above.

L. J. MAGRO, Mayor.
F. LEFANTE, Chief Executive Officer.

PI403*

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

Town Planning Scheme No. 24—Amendment No. 32

Ref: 853/2/14/29 Pt 32

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the City of Bayswater local planning scheme amendment on 23 January 2009 for the purpose of—

1. The words “Home Office” be inserted as Clause 3.1.2 i) of Town Planning Scheme No. 24.
2. Clause 8.5.7 of Town Planning Scheme No. 24 be amended to read as follows—
 - 8.5.7 **HOME-BASED BUSINESSES**
 - 8.5.7.1 Planning approval is not required for the use or development of a “Home Office” in accordance with Scheme Clause 3.1.2 i) provided that the use or development meets with the relevant definition and a registration form contained in Appendix 11 of this Scheme has been submitted to the satisfaction of the City of Bayswater.
 - 8.5.7.2 Planning approval is required for the use or development of a “Home Occupation”, “Home Business” or “Cottage Industry”.
 - 8.5.7.3 A person may, with the approval of the Council, conduct a home-based business in or from a dwelling. An approval to conduct a home-based business—
 - (a) is issued to a specific occupier of a particular parcel of land;
 - (b) shall not be transferred or assigned to any other person; and
 - (c) shall not be transferred from the land in respect of which it was granted.
 - 8.5.7.4 Should there be a change of the occupier of the land in respect of which a home-based business approval is issued, the approval is cancelled.
 - 8.5.7.5 If, in the opinion of Council, a home-based business is causing a nuisance or annoyance to owners or occupiers of land in the locality Council may rescind the approval.
 - 8.5.7.6 In making its decision on an application for approval for a home-based business the Council shall take into consideration the following matters—
 - (a) The provisions of any Town Planning Scheme, including this Scheme, affecting the land the subject of the application or any Scheme affecting land in the vicinity;
 - (b) The nature of the proposed home-based business in relation to the development of any other land in the vicinity;

- (c) The size, shape and character of the parcel of land to which the application relates and the nature and siting of the proposed building, the view from the building and the interruption of view likely to be caused by the proposed building;
- (d) Any representations which may be made by any statutory authority;
- (e) The existing and likely future amenity of the neighbourhood, including (but without limiting the generality of the foregoing) the question of whether the proposed home-based business is likely to cause injury to such amenity including injury due to the emission of noise, vibration, light, smell, fumes, smoke, vapour, steam, soot, ash, dust, grit, oil, liquid wastes or other waste products;
- (f) The nature of the roads giving access to the land;
- (g) What parking facilities are available or proposed, and the likely requirements for parking; and
- (h) Any other matters the Council considers relevant.
3. Appendix 1—Interpretations of Town Planning Scheme No. 24 to be amended to include the following definition—
- “Home-based business(es)” means a use including “Home Office”, “Home Occupation”, “Home Business” and “Cottage Industry” as defined in Appendix 1 of this Scheme.
4. Table 1—Zoning Table of Town Planning Scheme No. 24 be updated to include—
- (i) A Home Office as a “P use in all zones;
- (ii) A Home Occupation as a “D” use in the “Residential”, “Medium and High Density Residential” and “Mixed Use” zones;
- (iii) A Home Business as an “A” use in the “Residential”, “Medium and High Density Residential” and “Mixed Use” zones;
- (iv) A Cottage Industry as a “D” use in the “Residential”, “Medium and High Density Residential” and “Mixed Use” zones.
- (v) Home Occupation, Home Business and Cottage Industry are to be designated as ‘X’ uses in all other zones in Table 1—Zoning Table.
5. Appendix I—Interpretations be updated to include an amended definition of “Home Occupation” to read as—
- **“Home Occupation”** means an occupation carried out in a dwelling or on land around a dwelling by an occupier of the dwelling which—
 - (a) does not employ any person not a member of the occupier’s household;
 - (b) will not cause injury to or adversely affect the amenity of the neighbourhood;
 - (c) does not occupy an area greater than 20 square metres;
 - (d) does not display a sign exceeding 0.2m² in area;
 - (e) does not involve the retail sale, display or hire of goods of any nature;
 - (f) in relation to vehicles and parking, does not result in the requirement for a greater number of parking facilities than normally required for a single dwelling or an increase in traffic volume in the neighbourhood, does not involve the presence, use or calling of a vehicle more than 2 tonnes tare weight, and does not include provision for the fuelling, repair or maintenance of motor vehicles; and
 - (g) does not involve the use of an essential service of greater capacity than normally required in the zone.
6. Appendix I—Interpretations be amended to include the following definitions—
- **“Home Office”** means a home occupation limited to a business carried out solely within a dwelling by a resident of the dwelling, but which does not—
 - (a) Entail clients or customers travelling to and from the dwelling;
 - (b) Involve any advertising signs on the premises; or
 - (c) Require any external change to the appearance of the dwelling.
 - **“Home Business”** means a business, service or profession carried out in a dwelling or on land around a dwelling by an occupier of the dwelling which—
 - (a) does not employ more than 2 people not members of the occupier’s household;
 - (b) will not cause injury to or adversely affect the amenity of the neighbourhood;
 - (c) does not occupy an area greater than 50 square metres;
 - (d) does not involve the retail sale, display or hire of goods of any nature;
 - (e) in relation to vehicles and parking, does not result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic volumes in the neighbourhood, and does not involve the presence, use or calling of a vehicle more than 3.5 tonnes tare weight; and
 - (f) does not involve the use of an essential service of greater capacity than normally required in the zone.

- **“Cottage Industry”** 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 0.2m² in area.

7. Appendix II—Home Office Registration Checklist, being inserted into Town Planning Scheme No. 24.

APPENDIX 11

HOME OFFICE REGISTRATION CHECKLIST

Applicant name:

Address:

Contact Phone Number:

Street address of business (if different from above):

Brief description of business:

	Yes	No
Do you live at the above property?	<input type="checkbox"/>	<input type="checkbox"/>
	Yes	No
Do you own the above property? <i>(If not, you will require the written approval of the owner)</i>	<input type="checkbox"/>	<input type="checkbox"/>
Number of persons employed?	_____	
	Yes	No
Does the business involve the retail display or sale of goods from the site?	<input type="checkbox"/>	<input type="checkbox"/>
	Yes	No
Does the business entail any clients visiting the site?	<input type="checkbox"/>	<input type="checkbox"/>
	Yes	No
Does the business require any deliveries to the site?	<input type="checkbox"/>	<input type="checkbox"/>
	Yes	No
Are any advertising signs proposed?	<input type="checkbox"/>	<input type="checkbox"/>
	Yes	No
Will there be any external changes to the dwelling?	<input type="checkbox"/>	<input type="checkbox"/>
	Yes	No
Does the business entail mechanical maintenance or repairs of machinery?	<input type="checkbox"/>	<input type="checkbox"/>

If you have answered yes to any of these questions, you may not fit the definition of a Home Office.

If you have any questions, please contact the City of Bayswater’s Planning Department on 9272 0622.

Declaration

The applicant hereby applies to conduct a Home Office at the above address and confirms that the business description and particulars described above are true.

Signature Date

Please note: It is the responsibility of the applicant to advise the City of Bayswater of any changes to the information above.

L. J. MAGRO, Mayor.
F. LEFANTE, Chief Executive Officer.

PI404*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT

Shire of Serpentine-Jarrahdale

Town Planning Scheme No. 2—Amendment No. 154

Ref: 853/2/29/3 Pt 154

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 Shire of Serpentine-Jarrahdale local planning scheme amendment on 19 November 2008 for the purpose of—

1. Rezoning Lot 12 Gull Road, Serpentine from “Rural” to “Farmlet”.
2. Amending the Scheme map delineating Lot 12 Gull Road, Serpentine within the Farmlet Zone and identifying it as F 12.
3. Inserting in Appendix 4C—Farmlet Zone the following—

12. Lot 12 Gull Road, Serpentine.	<ol style="list-style-type: none"> 1. Within the Farmlet zone the following land uses are permitted, or are permitted at the discretion of the Council. Use Classes Permitted (P) <ul style="list-style-type: none"> • Single House • Public Recreation • Public Utility Discretionary Uses (AA) <ul style="list-style-type: none"> • Ancillary Accommodation • Home Occupation • Rural Use • Stables All other uses are prohibited. 2. In exercising its discretion in respect to AA uses, the Council having regard to the Planning Guidelines for Nutrient Management shall only permit such land uses when it is satisfied following consultation with government agencies that the land use does not involve excessive nutrient application or clearing of the land. 3. No dwelling shall be approved by the Council unless it is connected to an domestic waste water treatment system as approved by the Department of Health with an adequate phosphorus retention capacity, as determined by the Department of Environment and Conservation, and with the base of the system or the modified irrigation area being the required distance above the 10 year flood level and the highest known water table. 4. All buildings and effluent disposal systems to be located within the building envelopes defined on the Subdivision Guide Plan unless otherwise approved in writing by the Council. 5. A minimum habitable floor level of 27.00m AHD is required for any new dwelling. 6. All new buildings and structures to be constructed in accordance with AS 3959-1999 “Construction of buildings in bushfire-prone areas”. 7. All development including filling and building is to be located outside of the floodway. 8. At the time of the building application for each lot a plan of the site shall be submitted by the applicant to the satisfaction and specifications of the Council which shall show site contours, existing trees and stands of vegetation, those trees and vegetation to be removed and retained, and proposals for tree planting and maintenance. 9. No indigenous vegetation and trees shall be destroyed or cleared except, but subject to the developer of the estate/landowner obtaining the prior consent in writing of the Council, where such vegetation is dead, diseased or where the clearing is required for the purpose of a firebreak, dwelling, outbuilding, fence, drainage system and/or driveways, to accommodate a “Rural Use”. 10. The subdivider shall plant indigenous trees and shrubs of a species and at a density and distribution to the satisfaction of the Council prior to the transfer of lot(s) to a new owner.
-----------------------------------	---

	<ol style="list-style-type: none"> 11. The subdivider shall prepare and implement prior to subdivision, a landscape and foreshore management plan to the satisfaction of Council in consultation with the Department of Water. 12. The subdivider shall either maintain the trees and shrubs planted until the land is sold or shall plant sufficient numbers of trees and shrubs to allow for natural loss. Thereafter, the owners of the subdivided lots shall be responsible for the maintenance and replacement (if and where necessary) of those trees and shrubs planted by the subdivider to the satisfaction of the Council. 13. The subdivider shall prepare and implement a Fire Management Plan prior to subdivision that identifies the need for and the construction requirements relevant to strategic firebreaks, non reticulated water supplies and equipment and any other fire management requirements that may be deemed necessary to the specification and satisfaction of the local authority and the Bush Fires Board of WA. 14. The subdivider preparing a Drainage and Nutrient Management Plan outlining the flood flow escape route and designed to accommodate a 1 in 100 year ART storm to the satisfaction of Council. Additionally, no additional stormwater created as a result of the proposed subdivision and development shall be discharged to the Serpentine River. 15. Notwithstanding the obligations of the subdivider under Clause 5.13.7(e) of the Scheme the subdivider shall drain the land and provide drainage sumps in accordance with the Subdivision Guide Plan for the estate. Those easements and reserves required by Council shall be provided to the Council free of cost at the time of subdivision to provide for the ongoing maintenance of drains and sumps. 16. The keeping of horses, sheep, goats, cattle or other grazing animals, where permitted shall be subject to the prior, written approval of Council. Approval to keep animals shall not exceed the stocking rates recommended by Agriculture WA for the applicable pasture types. Vegetation planted by the developer, and remnant vegetation must be fenced from grazing livestock in order to protect vegetation. The subdivider to construct a stock proof fence along the northern boundary of proposed Lot 3 to protect the existing foreshore reserve. 17. Notwithstanding the controls specified by Provision 1, development and use of the land is subject to the provisions of the Water Corporation By-Laws applying to the underground water supply and pollution control. 18. Multiple Use Trails within the foreshore reserve adjacent to the property to be constructed by the subdivider prior to subdivision in accordance with the endorsed Subdivision Guide Plan. 19. The subdivider to upgrade Gull Road where it abuts Lot 12 to the satisfaction of Council.
--	--

D. L. NEEDHAM, Shire President.
J. ABBISS, Chief Executive Officer.

PI405*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
Shire of Serpentine-Jarrahdale
Town Planning Scheme No. 2—Amendment No. 155

Ref: 853/2/29/3 Pt 155

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 Serpentine-Jarrahdale local planning scheme amendment on 25 January 2009 for the purpose of—

1. Amending the Scheme Map by including Lots 1 and 2 Rowley Road, Darling Downs in the 'Urban Development' zone and 'Development Area 4' in accordance with the Scheme Amendment Map.

2. Inserting 'Plan 15B—Rowley Road Development Area' into 'Appendix 15—Development Areas'.
3. Inserting 'Lots 1 and 2 Rowley Road, Darling Downs' into 'Appendix 15—Development Areas' as a 'DA 4' with the following Provisions—

Ref No.	Area	Provisions
DA4	Lots 1 and 2 Rowley Road, Darling Downs	<ol style="list-style-type: none"> 1. In addition to the requirements of Clause 5.18.1 of this Scheme the following matters are to be addressed when preparing the Structure Plan(s) for the area to the satisfaction of Council on advice from the relevant State Government Agency— <ul style="list-style-type: none"> • Location Plan- adjacent land use, soil profile, linkages between neighbouring lots and environmentally sensitive areas; • Management of groundwater levels, including maintenance of ecosystem health and any proposed de-watering. Proposal should demonstrate no impact on groundwater dependent ecosystems. The following figures should be included— <ol style="list-style-type: none"> a. Existing surface level, existing groundwater levels; b. Final surface level, final groundwater levels (amount of fill required). • Management of groundwater 'hotspots' and other specific site conditions including acid sulphate soils and the potential for and management of increased export of nutrient rich groundwater; • Detailed stormwater management design including the size, location and design of detention basins, integrating major and minor flood management capability and linking into the Wungong Urban Water Master Plan. This will include maps of areas inundated in 1 year, 5 year and 100 year ARI events, information outlining required storages, invert levels, top water and peak flow levels, and information required to ensure integration with upstream and downstream systems. Stormwater detention basins are not to be located within public open space areas. Stormwater management strategy to identify and address pre and post development flow rates within the Birrega Drain and associated drains located on and adjacent to Lots 1 and 2 Rowley Road; • Locations (mapped) and details of structural and non structural Best Management Practices to be implemented including maintenance requirements, expected performance and agreed ongoing management arrangements including costs; • Management measures to be implemented to achieve protection of waterways, wetlands (and their buffers), remnant vegetation and ecological linkages; • Purpose, design and management of any proposed constructed water body; • Management of subdivisional works (to ensure no impact on regional conservation areas, maintenance of any installed Best Management Practices and management of any dewatering and soil/sediment, including dust); • Implementation plan including roles; responsibilities, funding and maintenance arrangements. Contingency plans should also be indicated where necessary. Clearly outline the actions to be undertaken by the developer to meet the requirements for improved water management outcomes;

Ref No.	Area	Provisions
		<ul style="list-style-type: none"> • Lot and road layout to be designed to enable predominantly east-west alignment of R20 lots and north-south alignment of R30 lots to provide linkages between the future development of Lots 1 and 2 and within the Wungong Master Plan area with particular reference to pedestrian links between Lots 1 and 2 and the proposed Village centre on the corner of Hopkinson and Rowley Roads; • The layout of lots, road reserves and public open space areas to accommodate the retention of existing vegetation as much as possible; • The realignment of Rowley Road along the northern and eastern boundaries of Lots 1 and 2; • All dwellings within the development are to incorporate energy and water efficiency measures. <p>2. Council, in considering the Structure Plan will have due regard to—</p> <ul style="list-style-type: none"> • The extent to which the proposal achieves and adheres to best management practices for the management of urban water and drainage consistent with the principles of Water Sensitive Urban Design; • The advice and recommendations of the Department of Water and the Water Corporation; and • Any other matters which Council considers relevant.

D. L. NEEDHAM, Shire President.
J. ABBISS, Chief Executive Officer.

PI406*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
Shire of Northam
Town Planning Scheme No 3—Amendment No. 7

Ref: 3.1.5.7

The Shire of Northam hereby notifies for public information, in accordance with Section 7 of the *Planning and Development Act 2005*, that the Hon Minister for Planning approved the Shire of Northam Town Planning Scheme No 3 Amendment No 7 on 2 February 2009.

The Amendment involves—

1. Rezoning Lot 4115 Jose Road, Bakers Hill from 'Agricultural Local' to 'Rural Smallholdings' and modifying the Scheme Maps accordingly.
2. Amending the Scheme Text by adding a row into the table in Schedule 11 to include Lot 4115 Jose Road, Bakers Hill as a Rural Smallholding and by including conditions that apply to the land as follows—

No.	Description of the Land	Conditions
7	Lot 4115 Jose Road, Bakers Hill	<ol style="list-style-type: none"> 1. Subdivision shall generally be in accordance with a subdivision guide plan as adopted by the local government and endorsed by the Western Australian Planning Commission and any approved modification thereto. 2. Second-hand transportable dwellings shall not be permitted. 3. The subdivider shall prepare and implement an environmental management plan to the satisfaction and approval of the local government prior to the subdivision of the land. The plan shall include— <ol style="list-style-type: none"> (a) Vegetation protection, including the registering of conservation covenants on the Certificate of Title

No.	Description of the Land	Conditions
		<p>of lots with significant areas of native vegetation, to ensure that purchasers are aware that remnant vegetation is to be managed;</p> <p>(b) Drainage, nutrient and salinity management.</p> <p>(c) A 'Watercourse Protection Area', the extent of which is to be determined after consultation with the relevant government agency, and where the following will apply—</p> <ul style="list-style-type: none"> • Except with the approval of the local government, clearing of trees except for the purpose of firebreaks or fences is prohibited, and in order to assist in reducing erosion and salinity hazard, planting of vegetation indigenous to the area shall be undertaken by the subdivider to the satisfaction of the local government; • Except with the approval of the local government and only after consultation with the relevant authority, the construction of dams or artificial retention of flow, pumping, diversion of water or modification of stream course bed or banks is prohibited; • Development of buildings or other structures is not permitted; and • With the intention of preventing degradation of the stream and its contiguous areas, the keeping of livestock in the area is prohibited and the area is to be fenced to preclude livestock. <p>(d) The areas identified for protection and rehabilitation, including revegetated areas, are to be maintained by landowners in accordance with the environmental management plan. The keeping of livestock shall not be permitted in these areas which are to be fenced to exclude stock where approval has been granted on adjacent land for the keeping of livestock.</p> <p>4. The application for a rural pursuit that involves the stabling and keeping of stock (including horses) is to be accompanied by a stock management plan to the satisfaction and approval of the local government. The stock management plan shall require all native vegetation and any area recognised for protection or rehabilitation in the environmental management plan to be fenced.</p> <p>5. All buildings and on-site effluent disposal are to be confined to the building envelope. All building envelopes shall be—</p> <ul style="list-style-type: none"> (a) Shown on the subdivision guide plan; (b) Shall be located to avoid elevations above ridgelines and any native vegetation; (c) Located to avoid any native vegetation or any area recognised for protection or rehabilitation identified on the subdivision guide plan or in the environmental management plan; and (d) Located to ensure on-site effluent disposal meets the minimum setback requirements from watercourses and wetlands. <p>6. The subdivider shall prepare a Fire Management Plan that identifies the need for and the construction requirements relative to strategic firebreaks, water supplies and equipment and any other fire management requirements that may be deemed necessary, to the specifications and satisfaction of the local government and the Fire and Emergency Services Authority of Western Australia. The approved Fire Management Plan shall be implemented prior to the subdivision of the land.</p> <p>7. On-site effluent disposal systems servicing the lots shall be to the specifications and satisfaction of the local government and the relevant government agency.</p>

No.	Description of the Land	Conditions
		8. All lots to be provided with a reticulated water supply; 9. Stormwater drainage shall be contained on-site to the satisfaction and specification of the local government, the stormwater management system should be designed in accordance with the guidelines contained in the 'Stormwater Management Manual of Western Australia' (Department of Conservation and Environment, 2004); 10. The permissibility of uses shall be— <ul style="list-style-type: none"> • Single House (P) • Home Occupation (D) • Rural Pursuit (D) All other uses are not permitted; 11. These conditions are to be read in conjunction with the Scheme requirements for the Rural Smallholding zone. Where conflict exists, the conditions of this Schedule will prevail.

The text of Amendment 7 will be published only in the *Government Gazette* in accordance with the Town Planning Regulations. A full copy of the Amendment text is available by contacting Council's Planning Department on 9622 6133.

S. B. POLLARD, Shire President.
N. A. HALE, Chief Executive Officer.

PI407*

PLANNING AND DEVELOPMENT ACT 2005
DECLARATION OF PLANNING CONTROL AREA 93
City of Armadale
 Bush Forever Site 344
 Lot 431 Oxley Road, Forrestdale

File: 835/2/22/6

General description

The Minister for Planning has granted approval to the declaration of a planning control area over land at Lot 431 Oxley Road, Forrestdale (Bush Forever Site 344) as shown on Western Australian Planning Commission plan number 3.2315.

Purpose

The purpose of the planning control area is to protect remnant vegetation identified in *Bush Forever* that is of regional and national conservation significance. The Western Australian Planning Commission considers that the planning control area is required over a portion of the whole of the property to ensure that no development occurs on this land which might prejudice this purpose until it may be reserved for parks and recreation in the Metropolitan Region Scheme.

Duration and effects

The declaration remains in effect for a period of five years from the date of publication of this notice in the *Government Gazette* or until revoked by the Western Australian Planning Commission with approval by the Minister, whichever is the sooner.

A person shall not commence and carry out development in a planning control area without the prior approval of the Western Australian Planning Commission. The penalty for failure to comply with this requirement is \$50,000 and, in the case of a continuing offence, a further fine of \$5,000 for each day during which the offence continues.

Compensation is payable in respect of land injuriously affected by this declaration, and land so affected may be acquired by the Western Australian Planning Commission in the same circumstances and in the same manner as if the land had been reserved in the Metropolitan Region Scheme for a public purpose.

Display locations

- Western Australian Planning Commission
1st floor, 469 Wellington Street
Perth WA
- J S Battye Library
Level 3 Alexander Library Building
Perth Cultural Centre
- Municipal office of the City of Armadale
7 Orchard Avenue
Armadale WA

TIM HILLYARD, Acting Secretary,
Western Australian Planning Commission.

RACING, GAMING AND LIQUOR

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 & Liquor, 1st Floor, 87 Adelaide Terrace, Perth, Telephone: (08) 9425 1888, or consult a solicitor or relevant industry organisation.

App. No.	Applicant	Nature of Application	Last Date for Objections
APPLICATIONS FOR THE GRANT OF A LICENCE			
12720	Precision Catering & Equipment Pty Ltd	Application for the grant of a Special Facility Licence—Canteen in respect of premises situated 320km South East of Halls Creek and known as Tanami Gold Wetmess.	26.02.09
12731	Ian John Bell	Application for the grant of a Producer's Licence in respect of premises situated in Yallingup and known as Glenmore Wines.	26.03.09
12733	Waterside Marine Pty Ltd	Application for the grant of a Special Facility Licence in respect of premises situated in Mandurah and known as Bouvard Cruises.	22.03.09
12739	Hammond Two Pty Ltd	Application for the grant of a Tavern Licence in respect of premises situated in Hammond Park and known as The Quarie Bar & Brasserie.	19.03.09
12740	Angelfyre Pty Ltd	Application for the grant of a Restaurant Licence in respect of premises situated in East Fremantle and known as GiGi's on George.	23.03.09
12742	M & G Importers Pty Ltd	Application for the grant of a Wholesale Licence in respect of premises situated in Perth and known as M & G Importers Pty Ltd.	09.03.09
APPLICATION FOR EXTENDED TRADING PERMITS—ONGOING EXTENDED HOURS			
33073	Southern Golf Pty Ltd	Application for the grant of an extended trading permit—ongoing extended hours, in respect of premises situated in Bunbury and known as The Sanctuary Tavern.	08.03.09

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

Dated: 18 February 2009.

B. A. SARGEANT, Director of Liquor Licensing.

DECEASED ESTATES

ZX401

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

Morena Scatena late of Murray River Nursing Home, Coolibah Avenue, Mandurah in the State of Western Australia, Widow, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the estate of Morena Scatena deceased who died on the 13th day of August 2008 at Greenfields, in the said State are required by the personal representative Bona Gigli of 20 Luckhurst Drive, Mandurah, Western Australia to send particulars of their claims to David Moss & Co of PO Box 5744, Albany W.A. 6332 by the date one month following the publication of this notice after which date the personal representative may convey or distribute the assets having regard only to the claim for which he has then had notice.

ZX402**TRUSTEES ACT 1962**
DECEASED ESTATES

Notice to Creditors and Claimants

Frederick Oliphant House, late of 9 Yolande Place, City Beach, Western Australia, Farmer.

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 21 July 2008, are required by the trustee of the late Frederick Oliphant House of C/- Haynes Robinson Solicitors of 70-74 Frederick Street, Albany, Western Australia to send particulars of their claims to them within one (1) month from the date of publication of this notice, after which date the trustee may convey or distribute the assets, having regard only to the claims of which it then has notice.

Dated this 11th day of February 2009.

HAYNES ROBINSON.

ZX403**TRUSTEES ACT 1962**
DECEASED ESTATES

Notice to Creditors and Claimants

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the estate of Alfonsa Copes late of 2/26 Graphite Road, Manjimup in the State of Western Australia who died on the 5th day of December 2008 are required by the executor to send particulars of their claims addressed to the Executor of the Estate of the late Alfonsa Copes late of 2/26 Graphite Road, Manjimup in the State of Western Australia, deceased, care of Slater & Gordon, Lawyers of 26 Stirling Street, Bunbury by 23 March 2009 after which date the executor may convey or distribute the assets, having regard only to the claims of which the executor then has notice.

ZX404**TRUSTEES ACT 1962**
DECEASED ESTATES

Notice to Creditors and Claimants

Ryan Ian McCurdy late of 2 Norman Street, Fremantle in the State of Western Australia, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the estate of the deceased who died on 7 December 2008 are required by the personal representative to send particulars of their claims to him care of Clement & Co, Lawyers, Unit 2, 12 Sutton Street, Mandurah by the 27 March 2009 after which date the personal representative may convey or distribute the assets having regard to the claims of which he then has notice.

CLEMENT & CO, as solicitors for the personal representative.

ZX406**TRUSTEES ACT 1962**
DECEASED ESTATES

Notice to Creditors and Claimants

In the the matter of the Estate of Marie Therese Moulinie, late of Unit 11, 166 Mill Point Road, South Perth in the State of Western Australia, Widow, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the Estate of the deceased, who died on the 12th day of December 2008, are required by the Executors, Charles Alfred Paul Moulinie and Gerald Marie Frichot, to send the particulars of their claim to Messrs Taylor Smart of 1 Regal Place, East Perth in the State of Western Australia, by the 20th day of March 2009, after which date the said Executors may convey or distribute the assets, having regard only to the claims of which they then have had notice.

Dated the 17th day of February 2009.

GARRY E. SAME, Taylor Smart.

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 Estates of the undermentioned deceased persons, are required by Perpetual Trustees WA Ltd, Level 12, 123 Pitt Street, Sydney NSW, to send particulars of such claims to the Company by the undermentioned date, after which date the said company may convey or distribute the assets, having regard only to the claims of which the Company then has notice.

Claims for the following estates expire one month after the date of publication hereof.

Estate Late Robert George Anderson

Late of 59 Smythe Street Rockingham, WA, Retired Naval Stoker

Died 02/01/2009

Estate Late Mary Bevan

Late of Regents Garden Aged Care, 33 Drovers Place, Wanneroo, WA, Home Duties

Died 28/11/2008

Estate Late Olive Margarette Doig

Late of Concorde Nursing Home, 25 Anstey Street, South Perth, WA, Retired Secretary

Died 25/12/2008

Estate Late Allan Charles Mathews

Late of 15 Balfour Street, Huntingdale, WA, Retired Transport Driver

Died 22/12/2008

ZX407**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 the 20 March 2009 after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Eade, Stephen William, late of Rowethorpe Village, 153 The Boulevard, Bentley, died 15.01.2009 (DE19891374EM26)

Edmonds, Valerie Mary Park, late of Rowethorpe Nursing Home, Unit 105 North Terrace, Bentley, died 8.01.2009 (DE19650854EM17)

Faulkner, George Fredrick, late of Howard Solomon Aged Home, Cnr Ferndale Cr, Hybanthus Road Ferndale, died 26.01.2009 (DE33035361EM37)

Hodgson, Priscilla May, late of 18 Turner Road, Byford, died 3.01.2009 (DE19790241EM27)

Holmes, Thomas William, late of 40 The Boulevard, Mount Hawthorn, died 10.01.2009 (DE19782698EM38)

Hyson, Ethel Sylvia, late of 11 Tarrawan Road, Armadale, died 29.01.2009 (DE19880448EM32)

Martin, Bernard, late of 61 Coolbellup Avenue, Coolbellup, died 20.09.2008 (DE19981693EM27)

McBride, Cecilia, late of Stirling Aged Care Facility, 32 Spencer Avenue, Yokine, formerly of unit 36/7 Godrich Street, East Perth, died 18.06.2008 (DE33055229EM16)

Nicholson, Stephen John, late of 26/238 Beaufort Street, Highgate, died 2.01.2009 (DE33070088EM15)

Turner, Robert Norman, late of 265 Railway Parade, Maylands, died 21.12.2008 (DE19991753EM12)

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

ZX408***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 20th day of February 2009.

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

Name of Deceased	Address	Date of Death	Date Election Filed
Joan Sofoulis DE19963052EM36	18 Cockram Place Beechboro	1 December 2008	17 February 2009
Mavis Eileen Southcott DE30310246EM36	98 Ellersdale Avenue Warwick	12 January 2009	17 February 2009
Ross Edward Wynhoff DE19880150EM37	83 Holland Street Fremantle	10 November 2008	17 February 2009

WESTERN AUSTRALIA

LOCAL GOVERNMENT ACT 1995

Loose Leaf Version (Including Index)

**\$64.70 (incl. Amendments Nos. 1 & 2)
Green Binder is an additional \$17.20 if required
(Plus Postage)**

Available from:

**State Law Publisher
10 William Street, Perth
Telephone: 9321 7688
Fax: 9321 7536
sales@dpc.wa.gov.au
Web: www.slp.wa.gov.au**

WESTERN AUSTRALIA

FAIR TRADING (RETIREMENT VILLAGES CODE) REGULATIONS 2006

***Price: \$9.80
(Plus Postage)**

* Prices subject to change on addition of amendments.

Order your Bound Volumes of Government Gazette 2009

An attractively presented set of 4 Bound Volumes
of Government Gazette

For Government Departments and private firms who require bound copies of Government Gazettes, the State Law Publisher offers a subscription covering 4 Quarterly Volumes at a cost of \$1,177.20.

The Gazettes will be bound in black cloth with gold foil lettering on the spine and can be personalised by the addition of the client's name in gold lettering on the front cover if required.

PLEASE NOTE

On the rare occasion where extra gazettes are published in one quarter, a fifth volume may be required. In this instance the extra cost involved will be borne by the State Law Publisher and not passed on to clients.

For further information please contact:

State Law Publisher

Telephone: 9321 7688