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— PART 1 —

PROCLAMATIONS

AA101*

Courts and Tribunals (Electronic Processes Facilitation) Act 2013

Courts and Tribunals (Electronic Processes Facilitation) Act 2013 Commencement Proclamation 2014

Made under the *Courts and Tribunals (Electronic Processes Facilitation) Act 2013* section 2(b) by the Administrator in Executive Council.

1. Citation

This proclamation is the *Courts and Tribunals (Electronic Processes Facilitation) Act 2013 Commencement Proclamation 2014*.

2. Commencement

The *Courts and Tribunals (Electronic Processes Facilitation) Act 2013* sections 22, 23, 25 and 27 to 30 come into operation on the day after the day on which this proclamation is published in the *Gazette*.

W. MARTIN, Administrator.

L.S.

M. MISCHIN, Attorney General.

Note: Under the *Bail Amendment Regulations 2014* regulation 2(b), the provisions of those regulations, other than regulations 1 and 2, come into operation on the day on which the *Courts and Tribunals (Electronic Processes Facilitation) Act 2013* sections 22, 23, 25 and 27 to 30 come into operation.

ENVIRONMENT

EV301*

Waste Avoidance and Resource Recovery Levy Act 2007

**Waste Avoidance and Resource Recovery Levy
Amendment Regulations (No. 2) 2014**

Made by the Administrator in Executive Council.

1. Citation

These regulations are the *Waste Avoidance and Resource Recovery Levy Amendment Regulations (No. 2) 2014*.

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 *Waste Avoidance and Resource Recovery Levy Regulations 2008*.

4. Regulation 12 amended

- (1) In regulation 12(1) delete the description of the variable “R” and insert:

R is, if the first day of the return period is —

- (a) before 1 January 2010 — \$3;
- (b) on or after 1 January 2010 and before 1 January 2015 — \$12;
- (c) on or after 1 January 2015 and before 30 June 2016 — \$60;
- (d) on or after 1 July 2016 and before 30 June 2017 — \$75;
- (e) on or after 1 July 2017 and before 30 June 2018 — \$90;
- (f) on or after 1 July 2018 and before 30 June 2019 — \$105;
- (d) on or after 1 July 2019 — \$105;

and

- (2) In regulation 12(2) delete the description of the variable “R” and insert:

- R is, if the first day of the return period is —
- (a) before 1 July 2009 — \$7;
 - (b) on or after 1 July 2009 and before 1 January 2010 — \$8;
 - (c) on or after 1 January 2010 and before 1 January 2015 — \$28;
 - (d) on or after 1 January 2015 and before 30 June 2016 — \$55;
 - (e) on or after 1 July 2016 and before 30 June 2017 — \$60;
 - (f) on or after 1 July 2017 and before 30 June 2018 — \$65;
 - (g) on or after 1 July 2018 and before 30 June 2019 — \$70;
 - (h) on or after 1 July 2019 — \$70.

N. HAGLEY, Clerk of the Executive Council.

JUSTICE

JU301*

Bail Act 1982

Bail Amendment Regulations 2014

Made by the Administrator in Executive Council.

1. Citation

These regulations are the *Bail Amendment Regulations 2014*.

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* (***gazettal day***);
- (b) the rest of the regulations — on the day on which the *Courts and Tribunals (Electronic Processes Facilitation) Act 2013* sections 22, 23 25 and 27 to 30 come into operation.

3. Regulations amended

These regulations amend the *Bail Regulations 1988*.

4. Regulation 3A inserted

After regulation 2 insert:

3A. Terms used

In these regulations —

approved user, of the courts electronic system, has the meaning given in the *Criminal Procedure Regulations 2005* regulation 3(1);

courts electronic system means the electronic system for the management of proceedings in Western Australian courts;

working day means a day other than a Saturday, a Sunday, or a public holiday.

5. Regulation 6 amended

(1) Delete regulation 6(3) and insert:

(3) Form 6 consists of a court copy, a releasing authority's copy and an accused's copy as set out in the Schedule.

(2) In regulation 6(4) delete "triplicate" and insert:

accused's copy

(3) In regulation 6 in the Table in the item relating to section 11(3) delete "duplicate" and insert:

releasing authority's copy

6. Regulations 7AA and 7AB inserted

After regulation 6 insert:

7AA. Entering information on courts electronic system

(1) Each form in the Schedule may be completed electronically by an approved user by entering the information required to complete the form into the courts electronic system.

- (2) If a hard copy of a form in the Schedule is handed to a court, an officer of the court must enter the information contained in the form into the courts electronic system.

7AB. Providing notice under section 13A(3) of the Act electronically

- (1) For the purposes of section 13B(1)(c) of the Act, written notice to the accused under section 13A(3) of the Act may be provided to the accused by —
 - (a) faxing the notice to a fax number provided by the accused; or
 - (b) emailing the notice (whether or not as an attachment) to an email address provided by the accused; or
 - (c) sending the notice by text message to a mobile phone number provided by the accused.
- (2) For the purposes of the *Courts and Tribunals (Electronic Processes Facilitation) Act 2013* section 11, the certificate referred to in section 13B(2) of the Act —
 - (a) may be incorporated in an electronic form of the file copy of the notice to the accused by noting the matters referred to in that subsection on the courts electronic system in respect of the notice; or
 - (b) may be associated electronically with the file copy of the notice to the accused by means of the courts electronic system.
- (3) A certificate referred to in section 13B(2) of the Act is authenticated for the purposes of the *Courts and Tribunals (Electronic Processes Facilitation) Act 2013* section 10 if —
 - (a) the certificate is produced by means of the courts electronic system; and
 - (b) the name of the person who gave, sent or provided the notice is recorded on the certificate.
- (4) If a notice is sent by electronic means in accordance with this regulation the notice is to be presumed, unless the contrary is shown, to have been received —
 - (a) if the fax, email or text message is sent before 4.00 p.m. on a working day — on that day; or
 - (b) otherwise — on the next working day after the fax, email or text message is sent.

7. Regulation 7A amended

In regulation 7A delete “sent” and insert:

made available

Note: The heading to amended regulation 7A is to read:

**Notice under s. 13A(3) of the Act to be made available to court
before which accused to appear**

8. Regulation 7 amended

- (1) In regulation 7(1) delete “sent” (each occurrence) and insert:

made available

- (2) After regulation 7(2) insert:

- (3) A relevant paper made available electronically that is required to be signed by a person is authenticated for the purposes of the *Courts and Tribunals (Electronic Processes Facilitation) Act 2013* section 10 if —
- (a) an electronic version of it that includes the signature on it is made available; or
 - (b) the electronic version that is made available states the name of the person whose signature it is at any place where a signature appears in the paper version.
- (4) A person who makes available electronically a relevant paper that is required to be signed must ensure that, subject to any order of the court, arrangements are made for the retention of a paper version of the relevant paper that was —
- (a) signed according to law; and
 - (b) held by the person at the time the paper was made available.

9. Regulations 8A and 8B inserted

After regulation 7 insert:

8A. Amending bail undertaking electronically

- (1) For the purposes of the *Courts and Tribunals (Electronic Processes Facilitation) Act 2013* section 11, the certificate referred to in section 31A(3)(b) of the Act, including any statement referred to in section 31A(4) of the Act, may be

incorporated in an electronic form of the court copy of the bail undertaking by an officer of the court noting in the courts electronic system the relevant matters in respect of the bail undertaking.

- (2) A certificate incorporated in a bail undertaking under subregulation (1) is authenticated for the purposes of the *Courts and Tribunals (Electronic Processes Facilitation) Act 2013* section 10 if the name of the officer of the court who notes the relevant matters in the courts electronic system is stated on the electronic form of the court copy of the bail undertaking.

8B. Giving and proof of notices under section 32(1) of the Act

- (1) For the purposes of section 32(1)(c) of the Act, written notice to the accused under section 31(2) of the Act may be provided to the accused by —
 - (a) faxing the notice to a fax number provided by the accused; or
 - (b) emailing the notice (whether or not as an attachment) to an email address provided by the accused; or
 - (c) sending the notice by text message to a mobile phone number provided by the accused.
- (2) For the purposes of the *Courts and Tribunals (Electronic Processes Facilitation) Act 2013* section 11, the certificate referred to in section 32(2) of the Act —
 - (a) may be incorporated in an electronic form of the file copy of the notice to the accused by noting the relevant matters in the courts electronic system in respect of the notice; or
 - (b) may be associated electronically with the file copy of the notice to the accused by means of the courts electronic system.
- (3) A certificate referred to in section 32(2) of the Act is authenticated for the purposes of the *Courts and Tribunals (Electronic Processes Facilitation) Act 2013* section 10 if —
 - (a) the certificate is produced by means of the courts electronic system; and
 - (b) the name of the person who gave, sent or provided the notice is recorded on the certificate.

- (4) If a notice is sent by electronic means in accordance with this regulation, the notice is to be presumed, unless the contrary is shown, to have been received —
 - (a) if the fax, email or text message is sent before 4.00 p.m. on a working day — on that day; or
 - (b) otherwise — on the next working day after the fax, email or text message is sent.
- (5) For the purposes of the *Courts and Tribunals (Electronic Processes Facilitation) Act 2013* section 11, a certificate referred to in section 32(4) of the Act may be incorporated electronically in the accused's bail undertaking by noting the relevant matters on an electronic form of the undertaking by means of the courts electronic system.

10. Regulations 9AA to 9AC inserted

After regulation 8 insert:

9AA. Provision of information and form to surety undertaking electronically

- (1) The notice, information and declaration referred to in section 37(1) of the Act may be provided to the applicant by —
 - (a) faxing the notice, information or declaration to a fax number provided by the applicant; or
 - (b) emailing the notice, information or declaration (whether or not as an attachment) to an email address provided by the applicant.
- (2) The declaration referred to in section 37(1)(c) of the Act, duly completed, may be provided to the surety approval officer by —
 - (a) faxing the declaration to a fax number provided by the surety approval officer; or
 - (b) emailing the declaration (whether or not as an attachment) to an email address provided by the surety approval officer.

9AB. Provision of surety undertaking to proposed surety electronically

- (1) For the purpose of section 43A(4) and (7) of the Act, the relevant official may provide a surety undertaking for completion or a copy of a completed surety undertaking, as required, to a person by —
 - (a) faxing the document to a fax number provided by the person; or

- (b) emailing the document (whether or not as an attachment) to an email address provided by the person.
- (2) For the purpose of section 43A(5) of the Act, the proposed surety may provide the completed surety undertaking to the relevant official by electronic communication by —
 - (a) faxing the declaration to a fax number provided by the relevant official; or
 - (b) emailing the declaration (whether or not as an attachment) to an email address provided by the relevant official.
- (3) An electronic copy of a surety undertaking certified to be a copy of a surety undertaking entered into in accordance with section 43A of the Act is authenticated for the purposes of the *Courts and Tribunals (Electronic Processes Facilitation) Act 2013* section 10 if the electronic copy states the name of the relevant official by whom the certification is made.

9AC. Provision of notice to surety electronically

- (1) For the purpose of section 45(1)(c)(ii) of the Act, the approved form may be provided to the surety by —
 - (a) faxing the form to a fax number provided by the surety; or
 - (b) emailing an electronic version of the form (whether or not as an attachment) to an email address provided by the surety.
- (2) For the purposes of the *Courts and Tribunals (Electronic Processes Facilitation) Act 2013* section 11, the certificate referred to in section 45(2) of the Act —
 - (a) may be incorporated in an electronic form of the file copy of the notice to the surety by noting the relevant matters in the courts electronic system in respect of the notice; or
 - (b) may be associated electronically with the file copy of the notice to the surety by means of the courts electronic system.
- (3) If an approved form is provided by electronic means in accordance with this regulation, the form is to be presumed, unless the contrary is shown, to have been received —
 - (a) if the fax or email is sent before 4.00 p.m. on a working day — on that day; or
 - (b) otherwise — on the next working day after the fax or email is sent.

- (4) An endorsement on an electronic form of a notice given under section 45(1)(b) or (c) of the Act that purports to be a certificate referred to in section 45(2) of the Act is authenticated for the purposes of the *Courts and Tribunals (Electronic Processes Facilitation) Act 2013* section 10 if the electronic version states the name of the person who made the endorsement.

11. Regulations 10A and 10B inserted

After regulation 9 insert:

10A. Notifying change of residential address

For the purposes of section 60 of the Act notice of the change of residential address of the accused or of a surety may be provided to the registrar of the court by —

- (a) sending details of the change by fax to the court's fax number; or
- (b) emailing details of the change to the court's email address.

10B. Certificate of non-appearance

- (1) A certificate referred to in section 64 of the Act is authenticated for the purposes of the *Courts and Tribunals (Electronic Processes Facilitation) Act 2013* section 10 if —
 - (a) the certificate is produced by means of the courts electronic system; and
 - (b) the name of the judicial officer or registrar of the court before whom the accused was required to appear is recorded on the certificate as the person who authorised the certificate.
- (2) For the purposes of the *Courts and Tribunals (Electronic Processes Facilitation) Act 2013* section 12, a certificate under section 64 of the Act is issued to the Commissioner of Police for the purposes of sections 51A(3) and 52(3a) of the Act if —
 - (a) an electronic form of the certificate is sent to the Commissioner by email; or
 - (b) the certificate is made available to the Commissioner by means of the courts electronic system.

12. Regulation 10 amended

Delete regulation 10(3) and insert:

- (3) The person before whom the undertaking is entered into must make available a copy of the undertaking, as duly completed, to the responsible person, or cause such a copy to be made available to him or her.

13. Schedule amended

- (1) In the Schedule Form 6:

- (a) delete “ORIGINAL” and insert:

COURT COPY

- (b) delete “DUPLICATE” and insert:

RELEASING AUTHORITY’S COPY

- (c) delete “TRIPLICATE” and insert:

ACCUSED’S COPY

- (d) delete (each occurrence):

Telephone No: Fax No:

and insert:

Telephone No: Fax No:

Mobile No:

- (2) In the Schedule Form 8 Part B delete items 3 and 4 and insert:

3. Address
Telephone No Fax No.....
Mobile No:
Email address
4. Occupation
Employer details

N. HAGLEY, Clerk of the Executive Council.

LOCAL GOVERNMENT

LG301*

LOCAL GOVERNMENT ACT 1995

Shire of Toodyay

REPEAL LOCAL LAW 2014

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Shire of Toodyay resolved on 26 August 2014 to make the following local law.

1. Citation

This local law is cited as the *Shire of Toodyay Repeal Local Law 2014*.

2. Commencement

This local law comes into operation 14 days after the date of its publication in the *Government Gazette*.

3. Repeal

The *By-laws Relating to Stalls* as published in the *Government Gazette* on 11 March 1983 is repealed.

Dated: 26 August 2014.

The Common Seal of the Shire of Toodyay was affixed by authority of a resolution of the Council in the presence of—

Cr DAVID DOW, Shire President.
Mr STAN SCOTT, Chief Executive Officer.

RACING, GAMING AND LIQUOR

RA301*

RACING AND WAGERING WESTERN AUSTRALIA ACT 2003

RACING AND WAGERING WESTERN AUSTRALIA (FOB RULES) NOTICE (NO. 3) 2014

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

1. Citation

This notice is the *Racing and Wagering Western Australia (FOB Rules Notice (No. 3) 2014)*

2. Commencement

These rules came into operation on 12 June 2012.

3. Interpretation

In this notice—

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

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

4. Rules adopted under section 61 of the Act

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

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

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

(3) Further amendments to the Rules were adopted by resolution of the Board dated 11 October 2012, 25 March 2013 30 August 2013, 31 October 2013, 20 December 2013 and 1 May 2014 and published for public information in the *Gazettes* of 23 October 2012 at pp. 5058-5060, 5 April 2013 at pp. 1490-1491, 17 September 2013 at pp. 4337-4346, 15 November 2013 at pp.5262-5265, 10 January 2014 at pp 24-25 and 13 May 2014 at pp 1455-1465.

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

- (1) Further amendments to the Rules were adopted by resolution of the Board dated 3 September 2014.
- (2) Those further amendments to the Rules are published in the Schedule to this notice for public information, as required by section 61(6)(c) of the Act.

Schedule 1—Amendments to Adopted Rules

1. Rule 360 headed **Rugby League** is amended by inserting after the words “the Dead-Heat Rule applies”. insert the following—

“The Dead-Heat Rule also applies if no extra time is applicable”.

— PART 2 —

CORRECTIVE SERVICES

CS401*

PRISONS ACT 1981**PERMIT DETAILS**

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

Surname	Other Names	Permit No.	Revocation Date
Aroni	Timothy	AP 0789	03/09/2014
Danas	George	AP 0764	03/09/2014
Marsh	Kelly Francoise	PA 0019	03/09/2014
McClean	Benjamin	AP 0744	03/09/2014
Mckenzie	Anthony John	AP 0341	03/09/2014
Mehmedovski	Esat	AP 0410	03/09/2014
Omeara	Edward Charles	AP 0596	03/09/2014

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

NATALIE SANGALLI, Manager,
Acacia Prison Contract.

Dated: 3 September 2014.

JUSTICE

JU401*

JUSTICES OF THE PEACE ACT 2004**RESIGNATIONS**

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

Mr Christopher Wayne Casey of Wyndham WA

Mrs Amy Averil Amelia Doughty-Carvell of Surfers Paradise QLD

Mr Kevin John Gregory of Pindimar NSW

Mr Neville George Henderson of Clifton Hill VIC

Mr Percival Stanley Holgate of Busselton WA

Dr Norman John Patrick Kelly of Hataitai NEW ZEALAND

Mr Michael Pervan of Hobart TAS

Mrs Louise Ann Stanwix of Hunterview NSW

Ms Giovanna Yolanda Torrisi of Balwyn VIC

from the Office of Justice of the Peace for the State of Western Australia.

RAY WARNES, Executive Director,
Court and Tribunal Services.

JU402*

JUSTICES OF THE PEACE ACT 2004**APPOINTMENTS**

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

Adrian Cornish of 3/45 Flynn Drive, Fitzroy Crossing

Matthew James Shier of 15 Clements Court, Edgewater

RAY WARNES, Executive Director,
Court and Tribunal Services.

LOCAL GOVERNMENT

LG501*

BUSH FIRES ACT 1954*City of Melville***FIRE BREAK NOTICE 2014/2015**

Notice to all owner and / or occupiers of land situated in the City of Melville

Pursuant to the powers contained in Section 33 of the above Act, you are hereby required on or before the 15th day of November 2014 or within 14 days of the date of you becoming the owner or occupier, should this be after the 15th day of November 2014 and thereafter up to and including the 30th day of April 2015 to clear flammable matter from that land in accordance with the following requirements—

- A As to land which is 1,500 square metres or less in area, or which is zoned “residential” to clear all flammable matter from the whole of the land except living trees, shrubs and plants under cultivation and lawns.
- B As to all other land within the district the owner or occupier shall—
 - (i) Clear firebreaks of a minimum width of three (3) metres inside all external boundaries of the land; and
 - (ii) Clear firebreaks of a minimum width of five (5) metres around all buildings situated on the land; and
 - (iii) Where that area of land exceeds ten (10) hectares, clear firebreaks of a minimum width of five (5) metres so as to ensure that no area of land within the firebreaks exceeds ten hectares in land; and
 - (iv) In any event, clear the firebreaks to the satisfaction of Council’s duly authorised officer.

If for any reason an owner or occupier considers it to be impracticable to clear firebreaks or comply with other fire protection measures in accordance with this requirement, the owner or occupier may apply in writing to the Council’s duly authorised officer no later than 31 October 2014 for an exemption or partial exemption from compliance with the requirement of this notice.

The penalty for failing to comply with this notice is a fine of not more than \$5,000 and a person in default is also liable, whether prosecuted or not, to pay the cost of performing the work directed in this notice if it is not carried out by the owner or occupier by the date required by this notice.

SHAYNE SILCOX, Chief Executive Officer.

MINERALS AND PETROLEUM

MP401*

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 exemptions designated ‘S19/138’, ‘S19/195’ and ‘S19/222 to S19/227’ in TENGGRAPH which were granted on 30 June 1999, 9 May 2005 and 26 August 2005 respectively and gazetted on 9 July 1999, 20 May 2005 and 6 September 2005 respectively. The subject land is now subject to Divisions 1 to 5 of Part IV of the *Mining Act 1978*.

Dated at Perth this 1st day of September 2014.

Hon BILL MARMION MLA, Minister for Mines and Petroleum.

MP402***MINING ACT 1978****INSTRUMENT OF VARIATION TO EXEMPTION OF LAND**

The Minister for Mines and Petroleum, pursuant to the powers conferred by Section 19 of the *Mining Act 1978*, hereby varies the exemption of land designated "Section 19/186", "Section 19/187", "Section 19/324", "Section 19/325", "Section 19/327", "Section 19/328", "Section 19/329" and "Section 19/347" in TENGRAPH by varying the descriptions and areas which appeared in the *Government Gazette* dated 6 September 2005 and 10 June 2011 to the description and area as detailed hereunder.

Description of Land

Land designated S19/186, S19/187, S19/324, S19/325, S19/327, S19/328, S19/329 and S19/347 in the TENGRAPH electronic plan of the Department of Mines and Petroleum. A plan is filed on Department of Mines and Petroleum File No A0799/201301 and identified as document 3081405.

Locality

Ord River/Kununurra

Area

32,749.9ha, 11,838.5ha, 66,238.1ha, 25,510.8ha, 11,652.8ha, 14,315.7ha 28,385.9ha 3,531.9ha respectively.

Dated at Perth this 1st day of September 2014.

Hon BILL MARMION MLA, Minister for Mines and Petroleum.

MP403***MINING ACT 1978****APPLICATION FOR AN ORDER FOR FORFEITURE**

Department of Mines and Petroleum,
Leonora WA 6438.

In accordance with Regulation 49(2)(c) of the *Mining Regulations 1981*, notice is hereby given that the following licences are liable for forfeiture under the provision of Section 96(1)(a) of the *Mining Act 1978* for non payment of rent.

RICHARD HUSTON, Warden.

To be heard by the Warden at Leonora on 17 November 2014.

EAST MURCHISON MINERAL FIELD**Miscellaneous Licences**

L 36/58	John, David Gough
L 36/59	John, David Gough

MT MARGARET MINERAL FIELD**Prospecting Licences**

P 37/8153	Alouisus Pty Ltd
P 39/5154	Westcott, Timothy Daniel

MP404***MINING ACT 1978****APPLICATION FOR AN ORDER FOR FORFEITURE**

Department of Mines and Petroleum,
Leonora WA 6438.

In accordance with Regulation 49(2)(c) of the *Mining Regulations 1981*, notice is hereby given that the following licences are liable for forfeiture under the provision of Section 96(1)(a) of the *Mining Act 1978* for non payment of rent.

RICHARD HUSTON, Warden.

To be heard by the Warden at Leonora on 17 November 2014.

MT MARGARET MINERAL FIELD

Prospecting Licences

P 37/7914	Griffiths, Robert Lee Nardone, Godfrey John Sharp, Renee Michelle
P 37/7915	Griffiths, Robert Lee Nardone, Godfrey John Sharp, Renee Michelle
P 39/5223	Byrne, Mark Francis

MP405*

MINING ACT 1978

APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Mines and Petroleum,
Leonora WA 6438.

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

RICHARD HUSTON, Warden.

To be heard by the Warden at Leonora on 17 November 2014.

MT MARGARET MINERAL FIELD

Prospecting Licences

P 37/7955	Francis, Raymond John Wozniak, Wieslaw
P 37/8073	Sullivan, Emma

MP406*

MINING ACT 1978

APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Mines and Petroleum,
Leonora WA 6438.

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

RICHARD HUSTON, Warden.

To be heard by the Warden at Leonora on 17 November 2014.

MT MARGARET MINERAL FIELD

Prospecting Licences

P 37/8290	Bell, Rodney Wayne
P 38/4051	Ellis, Kim Maree

MP407***MINING ACT 1978****APPLICATION FOR AN ORDER FOR FORFEITURE**

Department of Mines and Petroleum,
Leonora WA 6438.

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

RICHARD HUSTON, Warden.

To be heard by the Warden at Leonora on 17 November 2014.

MT MARGARET MINERAL FIELD**Prospecting Licences**

P 37/7958	PMCC Property Pty Ltd
P 37/8074	Sullivan, Emma
P 37/8075	Sullivan, Emma
P 37/8310	Zanil Pty Ltd

MP408***MINING ACT 1978****APPLICATION FOR AN ORDER FOR FORFEITURE**

Department of Mines and Petroleum,
Leonora WA 6438.

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

RICHARD HUSTON, Warden.

To be heard by the Warden at Leonora on 17 November 2014.

MT MARGARET MINERAL FIELD**Prospecting Licences**

P 38/3890	Anglo Australian Resources NL
P 38/3891	Anglo Australian Resources NL
P 38/3892	Anglo Australian Resources NL

NORTH COOLGARDIE MINERAL FIELD**Prospecting Licences**

P 40/1218	Hawthorn Resources Limited
P 40/1219	Hawthorn Resources Limited
P 40/1220	Hawthorn Resources Limited
P 40/1221	Hawthorn Resources Limited
P 40/1222	Hawthorn Resources Limited
P 40/1223	Hawthorn Resources Limited

PLANNING

PL101*

CORRECTION

PLANNING AND DEVELOPMENT ACT 2005

METROPOLITAN REGION SCHEME

City of Rockingham

Notice of Reconsideration of Resolution—Clause 27

Lots 459-461, Pt Lots 462 and 463 Baldivis Road and portion of Pug Road, Baldivis

Amendment 1261/27

File No.: 812-2-28-39 (RLS/0305/1)

It is hereby notified for public information that the notice under the above MRS amendment 1261/27 published at page 3228 of the *Government Gazette* No. 139 dated 5 September 2014 contained an error which is now corrected as follows—

For the words—

Telegraph Lane

Read—

Telephone Lane

TIM HILLYARD, Secretary,
Western Australian Planning Commission.

PL401*

PLANNING AND DEVELOPMENT ACT 2005

APPROVED LOCAL PLANNING SCHEME AMENDMENT

Town of Claremont

Town Planning Scheme No. 3—Amendment No. 126

Ref: TPS/1243

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 Town of Claremont local planning scheme amendment on 27 August 2014 for the purpose of—

- Rezoning Lot 412 (No. 1) Airlie Street, Claremont from “Special Development Zone A” to “Development Zone”.
- Inserting the subject site into ‘Schedule 1’ of the Town Planning Scheme 3 as follows—

	Location	Particulars of Land	Purpose and Requirements
2.	1 Airlie Street, Claremont	Lot 412 on Certificate of Title Volume 1676, Folio 186	The use of the site for aged persons’ accommodation purposes and ancillary commercial, community and/or recreational uses in accordance with a Structure Plan approved pursuant to Clauses 75D-O of the Scheme.

- Deleting Clause 58 from Town Planning Scheme 3 which states—

58. SPECIFIC DEVELOPMENT ZONE A (SUNDOWNER SITE)—

Land known as Lot 412 of Swan Location 699 and shown as Special Development Zone A on the Scheme Map may be used for the following purposes—

- (1) Accommodation of semi-frail and aged persons;
- (2) Elderly persons day centre;
- (3) Base for domiciliary care services in the surrounding areas;
- (4) Sheltered workshop for the aged and handicapped people as approved by the Council;
- (5) Such restricted areas as approved by the Licensing Court under the Liquor Act;
- (6) Offices for the purposes of administration of elderly and handicapped persons’ home;
- (7) Hostel accommodation for aged and handicapped persons; and,

(8) Self-care accommodation for aged and handicapped persons—

- (a) Any other similar uses or activities generally coming within the category of an elderly and handicapped home.

The aforesaid uses shall be restricted to the confines of existing premises and those additional buildings approved by Council on 27 March 1984 by the issue of building licence No. 6533. Maximum plot ratio for this site shall be 0.5.

4. Amending the Scheme map accordingly.

J. BARKER, Mayor.
S. GOODE, Chief Executive Officer.

PL402*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
Town of Claremont
Town Planning Scheme No. 3—Amendment No. 128

Ref: TPS/1218

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 Town of Claremont local planning scheme amendment on 27 August 2014 for the purpose of—

1. Rezoning portions of Lots 3 (CT 2538/361), 4 (CT 2510/842), 5 (CT 2199/343), 51, 78, 200, 5 (CT 1048/861), 6, 3 (CT 1046/355), 842, 3 (CT 2704/601), 4 (CT 2704/602), 116, 3 (CT 1606/694) and 56 Bindaring Parade, Claremont from 'No Zone' to 'Residential' and modifying the 'R30' residential density code area as depicted on Scheme Amendment Map No. 1.
2. Rezoning portions of Lots 10 (CT 1608/444), 13, 8, 1 (CT 465/53A) Victoria Avenue, Claremont and portions of Lots 10 (CT 7/69A) and 54 Chester Road, Claremont from 'No Zone' to 'Residential' and modifying the 'R40' residential density code area as depicted on Scheme Amendment Map No. 2.
3. Rezoning portions of Lots 5, 3, 73, 21, 2 (CT 876/163), 2 (CT 2095/309) and 1 Victoria Avenue, Claremont from "No Zone" to 'Residential' and modifying the 'R15' residential density code area as depicted on Scheme Amendment Map No. 2.

J. BARKER, Mayor.
S. GOODE, Chief Executive Officer.

PL403*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
City of Cockburn
Town Planning Scheme No. 3—Amendment No. 98

Ref: TPS/1101

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 Cockburn local planning scheme amendment on 2 September 2014 for the purpose of amending Schedule 12 of the Scheme text by inserting in Development Contribution Area 13—Community Infrastructure, under Infrastructure and Administrative Items to be Funded, additional wording as follows—

1. Under "Local", after 'Munster Recreation Facility' insert—
Banjup Playing Field
Banjup Community Centre
2. Under "Administrative costs including -", after 'Costs to prepare and update the Community Infrastructure Cost Contribution Schedule' insert—
Costs including fees and interest of any loans raised by the local government to undertake any of the works associated with DCA13.

L. HOWLETT JP, Mayor.
S. G. CAIN, Chief Executive Officer.

PL404*

PLANNING AND DEVELOPMENT ACT 2005
LOCAL PLANNING SCHEME AND LOCAL PLANNING STRATEGY
AVAILABLE FOR INSPECTION

Shire of Cue

Local Planning Scheme No. 2 and Local Planning Strategy

Ref: TPS/1220

Notice is hereby given that the local government of the Shire of Cue has prepared the abovementioned local planning scheme and local planning strategy for the purpose of—

Local Planning Scheme

1. setting out the local government's planning aims and intentions for the scheme area;
2. setting aside land as reserves for public purposes;
3. zoning land within the scheme area for the purposes defined in the scheme;
4. controlling and guiding land use and development;
5. setting out procedures for the assessment and determination of planning applications;
6. making provision for the administration and enforcement of the scheme;
7. implementing the vision, objectives and recommendations within the future local planning strategy for the Shire; and
8. addressing other matters set out in Schedule 4 of the *Planning and Development Act 2005*.

Local Planning Strategy

1. setting out the long-term planning directions for the Shire over the next ten to 15 years and establishes strategies and actions in the context of the State, regional and local planning framework; and
2. establishing the rationale for land use, planning and development controls within proposed Local Planning Scheme No. 2.

Plans and documents setting out and explaining the local planning scheme and local planning strategy have been deposited at Council Offices, Austin Street, Cue and at the Western Australian Planning Commission, 140 William Street, Perth, and will be available for inspection during office hours up to and including 16 December 2014.

Submissions on the local planning scheme and local planning strategy may be made in writing on Form No. 4 and lodged with the undersigned on or before 16 December 2014.

J. McCLEARY, Chief Executive Officer.

PL405*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT

City of Gosnells

Town Planning Scheme No. 6—Amendment No. 139

Ref: TPS/0964

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 Gosnells local planning scheme amendment on 27 August 2014 for the purpose of—

1. Rezoning the area known as Yule Brook Precinct 3 generally bound by Brookland Street, Ladywell Street, Wimbleton Street and Harris Street, Beckenham from Residential R17.5 to Residential Development, as shown on the Scheme Amendment Map.
2. Amending the Scheme Map by applying a Special Control Area to Yule Brook Precinct 3 Outline Development Plan area, as shown on the Scheme Amendment Map.

D. GRIFFITHS, Mayor.
I. COWIE, Chief Executive Officer.

PL406*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
City of South Perth
Town Planning Scheme No. 6—Amendment No. 30

Ref: TPS/1025

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 South Perth local planning scheme amendment on 2 September 2014 for the purpose of—

1. Deleting Clause 6.3 and replacing it with Clause 6.3 and 6.3A—

6.3 Car Parking

- (1) Uses listed in Table 6 must provide the number of car parking bays prescribed in that table.
- (2) Uses not listed in Table 6 must provide the number of car parking bays determined by the Council, having regard to the likely demand for car parking bays generated by the Uses.
- (3) Where a development site is used for multiple Uses, the number of car parking bays to be provided shall be the sum of the numbers calculated for each Use separately.
- (4) The Council may grant planning approval for non-residential land uses proposing a lesser number of car parking bays than prescribed in Table 6 provided that the proposed number of car parking bays is sufficient having regard to the peak parking demand generated by the Use or Uses and any opportunities for reciprocal parking arrangements.
- (5) Where additions are proposed to an existing building in the Highway Commercial zone or the Local Commercial zone and—
 - (a) the building (including the additions) is to be used exclusively for non-residential Uses; and
 - (b) the additions do not increase the floor area of the existing building by more than 10% or 50 m², whichever is the greater,the Council may grant planning approval for the additions permitting a lesser number of car parking bays than prescribed by Table 6 provided there are sufficient parking bays available in the vicinity of the building to cater for the parking demand associated with the Use of the additions.
- (6) When considering an application for planning approval for Uses in respect of which car parking bays are required to be provided under the Scheme, the Council shall have regard to, and may impose conditions which address—
 - (a) the location of any existing and proposed public or private footpath or way and any vehicle crossings;
 - (b) the effect the location of the bays and accessways is likely to have on pedestrian and vehicular movement both on the development site and in the adjacent street;
 - (c) the suitability and adequacy of proposed screening or natural planting in relation to the bays and accessways; and
 - (d) the number of bays which shall be provided with roof cover and the design and materials to be used for any such roof cover and supporting structures.
- (7) No person shall alter the location and layout of car parking bays and accessways provided in accordance with a planning approval issued under this Scheme without first having applied for and obtained the further planning approval of the Council.
- (8) The dimensions of car parking bays and associated accessways shall not be less than those prescribed in Figure 1 of Schedule 5 measured clear of the face of any column or pier and, where a wall, column, pier or fence abuts a side of a car parking bay, the width of the bay shall—
 - (a) be increased by 0.3 metres; or
 - (b) conform to the car bay diagram comprising Figure 2 of Schedule 5.
- (9) Where car parking bays are situated under cover and the Council is of the opinion that any column or pier may reduce the manoeuvrability of vehicles using the bays, the Council may require the width of any accessway to be increased by up to 0.6 metres.
- (10) Car parking bays and accessways shall be—
 - (a) constructed of hard-standing, dust-free surfaces;
 - (b) graded and drained in such a way as to prevent water flowing onto adjoining land, or into garages or carports on the site, or onto any street, except in the latter instance, to the extent approved by the Council;
 - (c) clearly marked on site in accordance with an approved plan; and
 - (d) maintained in good condition at all times.
- (11) Where visitor car parking bays are required to be provided for non-residential Uses, such bays shall be provided, marked and permanently retained for the exclusive use of visitors to the site.

- (12) In the case of non-residential Uses, any continuous line of unroofed car parking bays shall be provided with reticulated planting areas, including shade trees approved by the Council, at the rate of 1 tree per 8 car parking bays. Where the number of car parking bays is not an exact multiple of 8 bays, the required number of trees is the number for the nearest lower multiple of 8 bays.
- (13) For all comprehensive new development within Special Control Area SCA1 South Perth Station Precinct, the provisions of sub-clauses (1) and (2) do not apply. Car parking ratios for such development are prescribed in Table A of Schedule 9.

6.3A Cash In Lieu of Car Parking Bays

- (1) For the purposes of this clause, the term 'deficit bays' means the difference between—
 - (a) the total number of car parking bays required to be provided on the development site pursuant to clauses 6.3(1), 6.3(2) and 6.3(3) or such lesser number of bays as the Council may require having regard to clauses 6.3(4) or 6.3(5) or a planning policy; and
 - (b) the number of bays which an applicant proposes to provide on the development site with respect to a particular Use.
 - (2) An applicant for planning approval for a non-residential development may, if Council agrees, make a cash payment to the Council in lieu of providing one or more of the deficit bays.
 - (3) Before the Council agrees to accept a cash payment in lieu of any deficit bays, it must have a reasonable expectation that the payment can be spent by the City—
 - (a) to provide additional transport infrastructure in the vicinity of the development site; or
 - (b) to acquire land for the provision of additional transport infrastructure.
 - (4) The amount of the cash-in-lieu payment shall be the cost estimated by the Council to provide the deficit bays. The cost may include—
 - (a) the value of land on which the deficit bays may be constructed, as estimated by a licensed valuer appointed by the Council;
 - (b) the cost to the Council of constructing the deficit bays; and
 - (c) the cost to the Council of constructing and installing signs, facilities or equipment to regulate the permissible period during which a vehicle may occupy the deficit bays.
 - (5) Any costs incurred by the Council in estimating the amount of a cash-in-lieu payment shall be paid by the applicant seeking planning approval.
 - (6) The cash-in-lieu payment shall be payable in such a manner and at such time as Council determines.
 - (7) Cash-in-lieu payments received by Council under this clause shall be paid into appropriate funds to be used for the provision and maintenance of transport infrastructure within reasonable proximity to the development site. The cash-in-lieu payment may be used to reimburse Council for any related expenses, including loan repayments, which it incurs in providing and maintaining transport infrastructure.
 - (8) For all comprehensive new development within Special Control Area SCA1 South Perth Station Precinct, cash payments in lieu of providing the minimum number of car parking bays on the development site as prescribed in Table A of Schedule 9 are not permitted.
2. Modifying Clause 7.8(2) to read as follows—
- (2) The power conferred by sub-clause (1) of this clause shall not be exercised by the Council with respect to—
 - (a) Building Height Limits referred to in clause 6.1A;
 - (b) development requirements for certain sites referred to in clause 5.4;
 - (c) the requirements prescribed under the Residential Design Codes;
 - (d) the provisions contained in Schedule 9 applicable to comprehensive new development within Special Control Area SCA1 South Perth Station Precinct; and
 - (e) the number of deficit car parking bays calculated in the manner prescribed in clause 6.3A(1)(a).
3. Modifying Column 1 'Uses' of Table 6 for 'Mixed Development' by—
- (i) Deleting the words—

“Dwellings designed for occupation by persons who would ordinarily occupy an Aged or Dependent Persons' Dwelling—

Dwellings containing a living room and no more than one habitable room which is possible to be used as a bedroom—

Other Dwellings—”

and
 - (ii) inserting the following—

“Residential Uses—”

4. Modifying Column 2 'Minimum Required Parking Bays: Cars' of Table 6 for 'Mixed Development' by—
 - (i) Deleting the words—

"1 per dwelling
As prescribed by the Residential Design Codes for Single Bedroom Dwellings
Occupiers: 2 per dwelling; plus
Visitors: 1 per every 5 dwellings or part thereof, with a minimum of 2 bays; plus"

and
 - (ii) inserting the following—

"As prescribed by the Residential Design Codes; plus"
5. Modifying Column 3 'Minimum Required Parking Bays: Bicycles' of Table 6 for 'Mixed Development' by—
 - (i) Deleting all references to the words—

"Not applicable"

and
 - (ii) inserting the following—

"As prescribed by the Residential Design Codes; plus"
6. Modifying Column 3 'Minimum Required Parking Bays: Bicycles' of Table 6 for 'Residential' by—
 - (i) Deleting the words—

"Not applicable"

and
 - (ii) inserting the following—

"As prescribed by the Residential Design Codes"
7. Adding the following definitions to Schedule 1—

'Cash-in-lieu payment': means, in relation to car parking bays required to be provided on a development site, a sum of money calculated in accordance with clause 6.3A(4), which an owner is required to pay to the City in lieu of deficit bays.

'Transport infrastructure': means the works and undertakings relating to the provision of public transport infrastructure, pedestrian and cycling infrastructure and parking infrastructure. The term includes—

 - (a) public transport stops, shelters and stations, signs, public transport lanes, vehicles, railway track and catenary, priority signals and any associated works/designs;
 - (b) paths, signs, bicycles, pedestrian and cycling crossings and any associated works/designs;
 - (c) on-street and off-street car parking bays, parking meters, ticket machines, parking signs, shelters and any associated works/designs and technologies;

'Comprehensive new development': means a development which is determined by Council not to be a minor alteration, addition or extension to an existing development.

S. DOHERTY, Mayor.
A. C. FREWING, Chief Executive Officer.

PL407*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
City of Cockburn
 Town Planning Scheme No. 3—Amendment No. 102

Ref: TPS/1208

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 Cockburn local planning scheme amendment on 2 September 2014 for the purpose of—

1. Deleting Restricted Use 12 (RU12) from Schedule 3 and amending the Scheme map accordingly.
2. Deleting Additional Use 15 (AU15) from Schedule 2 and amending the Scheme map accordingly.
3. Deleting Special Use 26 (SU26) from Schedule 4.

L. HOWLETT JP, Mayor.
S. G. CAIN, Chief Executive Officer.

PL408*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
Shire of Kalamunda

Local Planning Scheme No. 3—Amendment No. 45

Ref: TPS/0829

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 Kalamunda local planning scheme amendment on 27 August 2014 for the purpose of—

1. Amending the Scheme Zoning Map to show the priority classification areas identified by the Middle Helena Catchment Area Land Use and Water Management Strategy, and adding the annotation SCA over the Middle Helena Catchment Area.
2. Inserting the following provision under clause 6.1.1 of the Scheme—
 - (g) The Middle Helena Catchment Area shown on the Scheme Map as SC5 shall be in accordance with Clause 6.6.
3. Inserting the following provisions in the Scheme for the Middle Helena Catchment area—

6.6 MIDDLE HELENA CATCHMENT AREA

6.6.1 The Middle Helena catchment area is the catchment for that section of the Helena River from the Mundaring Weir downstream to the Helena Pumpback Dam (also known as the Lower Helena Diversion Dam). The portion of the Middle Helena catchment area that falls in the Shire of Kalamunda is shown on the scheme map. The area is subject to the Middle Helena Catchment Area Land Use and Water Management Strategy, which identifies three priority classification areas (Priority 1, Priority 2 and Priority 3).

6.6.2 The purpose of this special control area is to implement the Middle Helena Catchment Area Land Use and Water Management Strategy. The objectives of this special control area are to—

- (a) Ensure that the long-term quality of the Middle Helena catchment as a public drinking water source is not compromised;
- (b) Reduce potential nutrient, contaminant and sediment export into the Helena River; and
- (c) Provide a planning framework for land use decision-making for landowners and local and state government.

6.6.3 All development in the special control area requiring planning approval shall be subject to the Shire's discretion, notwithstanding that the use may be permitted elsewhere in the Scheme.

6.6.4 The Shire may refer all applications for planning approval to the Department of Water for comment where that application is for a use which is identified as 'compatible with conditions' or 'incompatible' in the relevant priority classification on the Department of Water's land use compatibility table in the water quality protection note 'Land Use Compatibility in Public Drinking Water Source Areas', incorporating the following variations to that table, which are specific to the Middle Helena catchment area—

- (a) In priority 2 areas, the land use Restaurants (including cafes and tea rooms) shall be compatible with conditions; and
- (b) In priority 2 areas, the land use Exhibition Centre shall be compatible with conditions.

6.6.5 Notwithstanding the land use permissibility set out in Table One—Zoning Table, a use which is identified as incompatible within the relevant priority area on the Land Use Compatibility Table in the Department of Water's Water Quality Protection Note Land Use Compatibility in Public Drinking Water Source Areas, incorporating the variations to that Table specific to the Middle Helena Catchment Area as set out in clause 6.6.4, shall not be approved.

6.6.6 Notwithstanding clause 4.9.3 of this Scheme, a use which is a non-conforming use due to clause 6.6.5 shall not be changed to another non-conforming use that is also a non-conforming use due to clause 6.6.5.

6.6.7 In determining or making recommendation on an application for planning approval in the Special Control Area, or making recommendation on an application for subdivision in the Special Control Area, the Shire shall have particular regard to—

- (a) Any advice received from the Department of Water;
- (b) The Department of Water's land use compatibility table in the water quality protection note, 'Land Use Compatibility in Public Drinking Water Source Areas', incorporating the variations to that table specific to the Middle Helena catchment area (clause 6.6.5);
- (c) The recommendations of the Middle Helena Catchment Area Land Use and Water Management Strategy, particularly those specific to the relevant priority classification area;
- (d) The requirements of State Planning Policy 2.7 Public Drinking Water Source Policy;

- (e) The potential impact of the proposal on the quality of the water resource; and
- (f) The drainage characteristics of the land, including surface and groundwater flow, and the adequacy of proposed measures to meet water quality targets and manage run-off and drainage.

S. BILICH, Shire President.
R. HARDY, Chief Executive Officer.

PL409*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
City of Wanneroo
District Planning Scheme No. 2—Amendment No. 114

Ref: TPS/1186

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the City of Wanneroo local planning scheme amendment on 27 August 2014 for the purpose of zoning two portions of Lot 9502 (formerly Lot 9003) Marmion Avenue, Alkimos, to Centre Zone, as depicted on the Scheme (Amendment) Map.

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

PL410*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
Shire of Nannup
Local Planning Scheme No. 3—Amendment No. 15

Ref: TPS/1341

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the Shire of Nannup local planning scheme amendment on 27 August 2014 for the purpose of—

1. Rezoning portion of Lot 68 on Plan 222884 Warren Road, Nannup from the ‘Special Use’ zone (SU5) to the ‘Residential’ zone with an assigned density coding of R10/15.
2. Modifying the scheme maps accordingly.

T. DEAN, President.
R. JENNINGS, Chief Executive Officer.

PL411*

PLANNING AND DEVELOPMENT ACT 2005
LOCAL PLANNING SCHEME AVAILABLE FOR INSPECTION
Shire of Murchison

Local Planning Scheme No. 1 and Local Planning Strategy

Notice is hereby given that the local government of the Shire of Murchison has prepared the abovementioned local planning scheme and local planning strategy for the purpose of—

Local Planning Scheme

1. setting out the local government’s planning aims and intentions for the scheme area;
2. setting aside land as reserves for public purposes;
3. zoning land within the scheme area for the purposes defined in the scheme;
4. controlling and guiding land use and development;
5. setting out procedures for the assessment and determination of planning applications;
6. making provision for the administration and enforcement of the scheme; and
7. addressing other matters contained in the First Schedule to the *Planning and Development Act 2005*.

Local Planning Strategy

The Local Planning Strategy is the Shire's strategic land use and decision-making document for the next 10-15 years.

Plans and documents setting out and explaining the local planning scheme and local planning strategy have been deposited at the Shire of Murchison Administration Centre in the Murchison Settlement and at the Western Australian Planning Commission, 140 William Street, Perth, and will be available for inspection during office hours up to and including 15 December 2014.

Submissions on the local planning scheme and local planning strategy may be made in writing on Form No. 4 and lodged with the undersigned on or before 15 December 2014.

JENNY GOODBOURN, Chief Executive Officer.

PL412*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
City of Wanneroo
District Planning Scheme No. 2—Amendment No. 126

Ref: TPS/1257

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the City of Wanneroo local planning scheme amendment on 2 September 2014 for the purpose of—

1. Deleting 'Special Provision No. 1' of 'Special Rural Zone No. 18' contained within Schedule 13 and inserting the following text in its place—
 1. Subdivision and development shall be in accordance with the Development Guide Plan dated 2 August 2011.
2. Amending 'Special Provision No. 7' of 'Special Rural Zone No. 18' by deleting the following text—

In reference to the portion of the subject land shown bounded by the stippled boundary on the Modified Development Guide Plan, the land use permissibility for this land shall be determined in accordance with the Rural Resource Zone.

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

PL413*

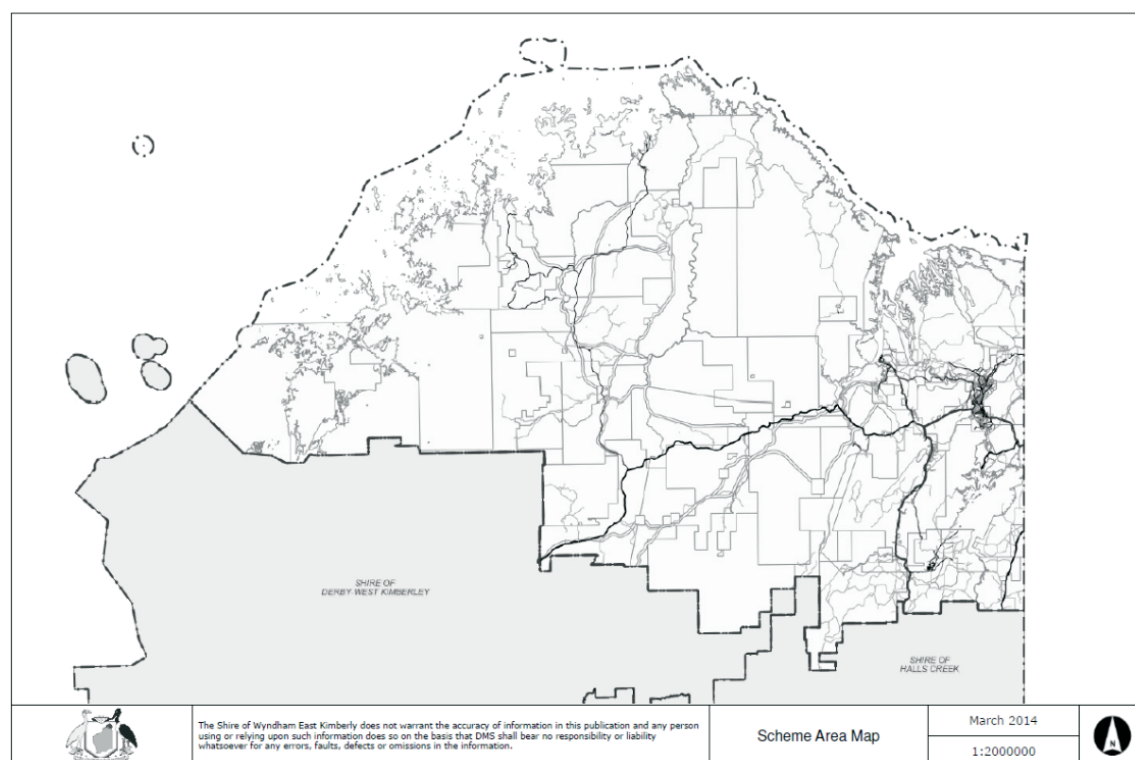
PLANNING AND DEVELOPMENT ACT 2005
Shire of Wyndham East Kimberley
RESOLUTION DECIDING TO PREPARE A LOCAL PLANNING SCHEME
Local Planning Scheme No. 9

Notice is hereby given that the Shire Council of the local government of Wyndham East Kimberley on the 25th of March 2014 passed the following Resolution—

Resolved that the local government, in pursuance of section 72 of the *Planning and Development Act 2005* (as amended), prepare the above Local Planning Scheme with reference to an area situated wholly within the Shire of Wyndham East Kimberley and enclosed within the inner edge of the dashed black border on a plan now produced by the Council of the local government and marked and certified by the Chief Executive Officer under his hand dated the 25th day of March 2014 as "Scheme Area Map".

Dated this 4th day of September 2014.

GARY GAFFNEY, Chief Executive Officer.



RACING, GAMING AND LIQUOR

RA401*

LIQUOR CONTROL ACT 1988

LIQUOR APPLICATIONS

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

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

App. No.	Applicant	Nature of Application	Last Date for Objections
APPLICATIONS FOR THE GRANT OF A LICENCE			
15140	Bollywood Lounge Pty Ltd	Application for the grant of a Restaurant licence in respect of premises situated in Pegs Creek and known as Bollywood Lounge	2/10/2014
15145	Mahal Pty Ltd	Application for the grant of a Restaurant licence in respect of premises situated in Yokine and known as Pasta Fiesta	5/10/2014
15148	Lohman Nominees Pty Ltd and Nathan James Tomms	Application for the grant of a Restaurant licence in respect of premises situated in Glenfield and known as Delights Pizza and Burger	16/10/2014
APPLICATIONS FOR EXTENDED TRADING PERMITS—ONGOING EXTENDED HOURS			
41712	Jook Joint Pty Ltd	Application for the grant of an extended trading permit ongoing hours in respect of premises situated in Perth and known as Hula Bula Bar	7/10/2014

App. No.	Applicant	Nature of Application	Last Date for Objections
APPLICATIONS FOR EXTENDED TRADING PERMITS—ONGOING EXTENDED HOURS—<i>continued</i>			
41769	Roebuck Bay Pty Ltd	Application for the grant of an extended trading permit ongoing hours in respect of premises situated in Denmark and known as Denmark Liquor Store	23/09/2014

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

B. A. SARGEANT, Director of Liquor Licensing.

Dated: 8 September 2014.

SALARIES AND ALLOWANCES TRIBUNAL

SA401*

SALARIES AND ALLOWANCES ACT 1975 DETERMINATION VARIATION

PREAMBLE

This determination provides clarification in relation to accommodation allowances for Members of Parliament as a result of the recent issuing of Taxation Determination 2014/19 by the Australian Taxation Office.

DETERMINATION

The determination of the Salaries and Allowances Tribunal made on the 24th day of June 2014 under sections 6(1)(a), (ab), (b) and 6AA of the *Salaries and Allowances Act 1975*, as amended from time to time, is hereby varied by a further determination set out below.

The variation is effective from 1 July 2014.

Remove from Part 5, Section 1.6 the following—

- 1.6 Where a section in this Part refers to an accommodation allowance, the relevant total daily allowance is determined to be the relevant Australian Taxation Office reasonable benefit limit applicable at the date of travel. The Australian Taxation Office reasonable benefit limit 2013/14 rates can be found in Taxation Determination TD 2013/16. For the purpose of calculating the appropriate salary limits in the Taxation Determination, the salary of a Member of Parliament shall be comprised of the base remuneration and any additional remuneration set out in Part 2 Sections 1 and 2 of this determination together with the base electorate allowance set out in Part 3 Section 2 of this determination. Where travel involves part of a day, the allowance payable will be calculated in accordance with the following formulae—

Include in Part 5, Section 1.6 the following—

- 1.6 Where a section in this Part refers to an accommodation allowance, the relevant total daily allowance is determined to be the relevant Australian Taxation Office reasonable benefit limit applicable at the date of travel. The Australian Taxation Office reasonable benefit limit 2014/15 rates can be found in Taxation Determination TD 2014/19. For the purpose of calculating the appropriate salary limits in the Taxation Determination, the salary of a Member of Parliament shall be comprised of the base remuneration and any additional remuneration set out in Part 2 Sections 1 and 2 of this determination together with the base electorate allowance set out in Part 3 Section 2 of this determination. Where travel involves part of a day, the allowance payable will be calculated in accordance with the following formulae—

Remove from Part 9, Section 2 the following—

- 2.4 The daily amount which a Member of Parliament can be reimbursed for accommodation expenses, meals and incidentals for purposes specified in this Part shall be—
 - 2.4.1 the relevant Australian Taxation Office reasonable benefit limits for accommodation, meals and incidentals set out in Taxation Determination TD 2013/16 where the Member utilises commercial accommodation located in Australia; and
 - 2.4.2 up to \$400 per day for accommodation plus the relevant Australian Taxation Office reasonable benefit limit for meals and incidentals set out in Taxation Determination TD 2013/16 where a Member utilises commercial accommodation located outside Australia.
- 2.5 The daily amount which a Member can be reimbursed in respect of non-commercial accommodation utilised in Australia or outside Australia shall be 40 per cent of the amounts specified in subsections 2.4.1 and 2.4.2 of this Section.

Include in Part 9, Section 2.4 the following—

- 2.4 The daily amount which a Member of Parliament can be reimbursed for accommodation expenses, meals and incidentals for purposes specified in this Part shall be—
- 2.4.1 the relevant Australian Taxation Office reasonable benefit limits applicable at the date of travel for accommodation, meals and incidentals set out in Taxation Determination TD 2014/19 where the Member utilises commercial accommodation located in Australia; and
- 2.4.2 up to \$400 per day for accommodation plus the relevant Australian Taxation Office reasonable benefit limit for meals and incidentals set out in Taxation Determination TD 2014/19 where a Member utilises commercial accommodation located outside Australia.
- 2.5 For the purpose of calculating the appropriate salary limits in the Taxation Determination, the salary of a Member of Parliament shall be comprised of the base remuneration and any additional remuneration set out in Part 2 Sections 1 and 2 of this determination together with the base electorate allowance set out in Part 3 Section 2 of this determination.
- 2.6 The daily amount which a Member can be reimbursed in respect of non-commercial accommodation utilised in Australia or outside Australia shall be 40 per cent of the amounts specified in subsections 2.4.1 and 2.4.2 of this Section.

Signed this 2nd day of September 2014.

W. S. COLEMAN AM,
Chairman.

C. A. BROADBENT,
Member.

B. J. MOORE,
Member.

Salaries and Allowances Tribunal.

DECEASED ESTATES

ZX401*

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* and amendments thereto, relates) in respect of the estates of the undermentioned deceased persons are required by the personal representatives care of Messrs Jackson McDonald, 25th Floor, 140 St Georges Terrace, Perth, Western Australia 6000 until Friday 19 September 2014 and as from Monday 22 September 2014 of Level 17, 225 St Georges Terrace Perth Western Australia (GPO Box M971 Perth Western Australia 6843) to send particulars of their claims to them within one month from the date of publication of this notice at the expiration of which time the personal representatives may convey or distribute the assets having regard only to the claims of which they have then had notice—

Nita Marjorie Cohen deceased late of Regis Park Nursing Home, 118-120 Monash Avenue, Nedlands, Western Australia, who died on 3 May 2014.

Olga Elizabeth St John Costley deceased late of 1 Ormsby Terrace, San Remo, Western Australia, who died on 1 July 2014.

John Barry Craig Macaulay deceased late of 10 Victoria Avenue, Claremont, Western Australia, who died on 25 March 2014.

Dated this 28th day of August 2014.

JACKSON McDONALD.

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 1962*, relates) in respect of the Estates of the undermentioned deceased persons are required to send particulars of their claims to me, on or before 12 October 2014, after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Bullock, Stanley Frederick, late of 32 Selhurst Way, Balga, died 15.08.2013 (DE33109320 EM29)

Fairbanks, Kenneth Edward, late of 3 Cygnet Street, Dianella, died 26.07.2014 (DE19873727 EM35)

Fogarty, Christie Weibye, also known as Queenie, late of RSL Aged Care Menora Gardens, 51 Alexander Drive, Menora, died 30.07.2014 (DE19704012 EM17)

Giles, Henrietta Mabel, late of 495 Marmion Street, Booragoon, died 19.08.2014 (DE19720398 EM36)

Mensen, Maria Anna, late of 40 Florence Street, West Perth, formerly of 2/144 Waterloo Street, Tuart Hill, died 5.08.2014 (DE19703303 EM24)

Sproxton, Henry Young, late of Glendalough Nursing Home, 2 Rawlins Street, Glendalough, died 6.07.2014 (DE19703330 EM35)

Winzar, Anne Alice, late of 12 Wayford Mews, Erskine, died 7.08.2014 (DE19781359 EM26)

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

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Clients Please Note:

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If you have any old single editions or bound volumes and are willing to donate them for this project we would be extremely grateful.

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Department of the **Premier and Cabinet**
State Law Publisher



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