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Clients who have an account will be invoiced for advertising charges.

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— PART 1 —

PROCLAMATIONS

AA101*

LOCAL GOVERNMENT (OFFICIAL CONDUCT) AMENDMENT ACT 2007

No. 1 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 *Local Government (Official Conduct) Amendment Act 2007* section 2 and with the advice and consent of the Executive Council, fix 21 October 2007 as the day on which the provisions of that Act, other than sections 1 and 2, come into operation.

Given under my hand and the Public Seal of the State on 14 August 2007.

By Command of the Governor,

L. RAVLICH, Minister for Local Government.

Notes : Under section 22 of the *Interpretation Act 1984*, sections 1 and 2 came into operation on 28 March 2007.

Under the *Local Government (Rules of Conduct) Regulations 2007* regulation 2(b), those regulations other than regulations 1 and 2 come into operation on the day on which the *Local Government (Official Conduct) Amendment Act 2007* section 11 comes into operation.

Under the *Local Government (Administration) Amendment Regulations 2007* regulation 2(b), those regulations other than regulations 1 and 2 come into operation on the day on which the *Local Government (Official Conduct) Amendment Act 2007* section 11 comes into operation.

Under the *Local Government (Constitution) Amendment Regulations 2007* regulation 2(c), regulation 12 of those regulations comes into operation on the day on which the *Local Government (Official Conduct) Amendment Act 2007* section 11 comes into operation.

AA102*

LOCAL GOVERNMENT AMENDMENT ACT 2006

No. 66 of 2006

PROCLAMATION

Western Australia

By His Excellency

Doctor Kenneth Comminos Michael,
Companion of the Order of Australia,
Governor of the State of Western Australia

[L.S.]

KENNETH COMMINOS MICHAEL
Governor

I, the Governor, acting under the *Local Government Amendment Act 2006* section 2(2) and with the advice and consent of the Executive Council, fix 6 September 2007 as the day on which section 14 of that Act comes into operation.

Given under my hand and the Public Seal of the State on 14 August 2007.

By Command of the Governor,

L. RAVLICH, Minister for Local Government.

HOUSING AND WORKS

HW301*

Local Government (Miscellaneous Provisions) Act 1960
Local Government Act 1995

Building Amendment Regulations (No. 3) 2007

Made by the Governor in Executive Council under section 433A of the Local Government (Miscellaneous Provisions) Act 1960 and section 9.60 of the Local Government Act 1995.

1. Citation

These regulations are the Building Amendment Regulations (No. 3) 2007.

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 1 September 2007.

3. The regulations amended

The amendments in these regulations are to the Building Regulations 1989.

4. Part 10A inserted

After regulation 38H the following Part is inserted —

“

Part 10A — Hot water systems and water use**38I. Hot water systems and water use: Building Code amended**

- (1) The Building Code Volume Two Appendix A Contents on page 621 is amended by deleting the box and the words in it and adding instead —

“

WESTERN AUSTRALIA**Application of Western Australian additions****WA 1 — Hot Water Systems****WA 1.1 Performance Provision****WA 1.1.0 Performance requirement**

WA 1.2 Deemed-to-Satisfy Provision
WA 1.2.0 Hot water system standard
WA 1.3 Acceptable Construction Practice

WA 2 — Water Use

WA 2.1 Definitions
WA 2.1.0 Definitions
WA 2.2 Performance Provisions
WA 2.3 Performance Requirement
WA 2.3.0 Water use efficiency
WA 2.3.1 Water loss prevention
WA 2.3.2 Hot water use efficiency
WA 2.4 Deemed-to-Satisfy Provision
WA 2.4.0 Water use efficiency
WA 2.4.1 Swimming pool covers and blankets
WA 2.4.2 Hot water use efficiency
WA 2.5 Acceptable Construction Practice

”.

- (2) The Building Code Volume Two Appendix A Western Australia Additions (page 623) is amended by deleting “Western Australia has no additions to the Housing Provisions.” and adding instead —

“

Application of Western Australian additions

This Appendix contains additional provisions for application in Western Australia as follows:

WA 1 — HOT WATER SYSTEMS

WA 1.1 PERFORMANCE PROVISION

WA 1.1.0 Performance requirement

A building’s hot water system including any associated components must produce low levels of greenhouse gases when heating water.

WA 1.2 DEEMED-TO-SATISFY PROVISION

WA 1.2.0 Hot water system standard

A hot water system must be one of the following —

- (a) a solar hot water system that —
- (i) complies with AS 2712-2002; and
 - (ii) has been tested in accordance with AS 4234-1994; and
 - (iii) achieves a minimum energy saving of 60% for a hot water demand level of 38 MJ per day for climate zone 3;
- (b) a gas hot water system that —
- (i) complies with AS 4552-2005; and
 - (ii) achieves a minimum energy rating of 5 stars in accordance with AS 4552-2005;

- (c) a heat pump hot water system that —
 - (i) complies with AS 2712-2002; and
 - (ii) has been tested in accordance with AS 4234-1994; and
 - (iii) achieves a minimum energy saving of 60% for a hot water demand level of 38 MJ per day for climate zone 3.

WA 1.3 ACCEPTABLE CONSTRUCTION PRACTICE

Compliance with Deemed-to-Satisfy provision of WA 1.2.0 satisfies the Performance Requirement WA 1.1.0 for a building.

WA 2 — WATER USE

WA 2.1 DEFINITIONS

WA 2.1.0 Definitions

The following definitions are used in this part —

potable water means water intended for human consumption supplied by the holder of an operating licence within the meaning given in the Water Services Licensing Act 1995 section 3.

WELS has the meaning given in the Water Efficiency Labelling and Standards Act 2005 of the Commonwealth section 7.

WA 2.2 PERFORMANCE PROVISIONS

Objective

The objective of these provisions is to reduce water demand by —

- (a) using water efficiently; and
- (b) minimising water wastage.

Functional statement

To reduce potable water demand a building is to be capable of —

- (a) using potable water efficiently; and
- (b) preventing excessive loss of potable water.

WA 2.3 PERFORMANCE REQUIREMENT

WA 2.3.0 Water use efficiency

A building must have features that, to the degree necessary, facilitate the efficient use of potable water appropriate to —

- (a) the geographic location of the building; and
- (b) the available potable water supply for the building; and
- (c) the function and use of the building.

WA 2.3.1 Water loss prevention

A building, including any water holding structure, must have features that, to the degree necessary, prevent the excessive loss of potable water appropriate to —

- (a) the geographic location of the building; and
- (b) the available potable water supply for the building; and
- (c) the function and use of the building; and
- (d) the effects of permanent features such as topography, structures and buildings.

WA 2.3.2 Hot water use efficiency

A building must have features that, to the degree necessary, facilitate the efficient use of hot water appropriate to —

- (a) the geographic location of the building; and
- (b) the available hot water supply for the building; and
- (c) the function and use of the building.

WA 2.4 DEEMED-TO-SATISFY PROVISION**WA 2.4.0 Water use efficiency**

- (a) All tap fittings other than bath outlets and garden taps must be a minimum of 4 stars WELS rated.
- (b) All shower heads must be a minimum of 3 stars WELS rated.
- (c) All sanitary flushing systems must be a minimum of 4 stars WELS rated dual flush.

WA 2.4.1 Swimming pool covers and blankets

An outdoor private swimming pool or spa associated with a Class 1 building must be supplied with a cover, blanket or the like that —

- (a) is designed to reduce water evaporation; and
- (b) is accredited with the Smart Approved Watermark under the Smart Approved Watermark Scheme governed by the Australian Water Association, the Irrigation Association of Australia, the Nursery and Garden Industry Australia and the Water Services Association of Australia.

WA 2.4.2 Hot water use efficiency

All internal hot water outlets (such as taps, showers and washing machine water supply fittings) must be connected to a hot water system or a recirculating hot water system with pipes installed and insulated in accordance with AS/NZS 3500:2003: Plumbing and Drainage, Part 4 Heated Water Services.

The pipe from the hot water system or recirculating hot water system to the furthest hot water outlet must not exceed 20 metres in length or 2 litres of internal volume.

WA 2.5 ACCEPTABLE CONSTRUCTION PRACTICE

Compliance with all of the Deemed-to-Satisfy provisions of WA 2.4.0 satisfies the Performance Requirement WA 2.3.0 for a building.

Compliance with all of the Deemed-to-Satisfy provisions of WA 2.4.1 satisfies the Performance Requirement WA 2.3.1 for a building.

Compliance with all of the Deemed-to-Satisfy provisions of WA 2.4.2 satisfies the Performance Requirement WA 2.3.2 for a building.

”
”

By Command of the Governor,

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

LOCAL GOVERNMENT

LG301*

LOCAL GOVERNMENT ACT 1995

City of Canning

CONTROL AND KEEPING OF CATS LOCAL LAW 2007

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the City of Canning resolved on 14 August 2007 to make the following local law.

PART 1 PRELIMINARY

Citation

1.1 This local law may be cited as the *City of Canning Control and Keeping of Cats Local Law 2007*.

Objects

- 1.2 The object of this local law is—
- (a) to encourage responsible cat ownership.
 - (b) to protect native fauna within Cat Prohibited Areas.

Interpretation

- 1.3 In this local law—
- “Act” means the Local Government Act 1995;
 - “authorised person” means a person authorised by the Local Government under section 9.10 of the Act to perform any of the functions of an authorised person under this local law;
 - “cat” means any member of the species *felix domesticus* (domestic cat) and includes all domestic, feral and stray cats of that species;
 - “Cat Prohibited Area” means an area of the district designated as a Cat Prohibited Area under Part 3 of this local law;
 - “CEO” means the Chief Executive Officer of the Local Government;
 - “Council” means the Council of the Local Government;
 - “dangerous” in relation to a cat means that the cat cannot be kept in the pound without risk of injury to the cat or other animals or a person responsible for its care at the pound;
 - “destroy” means to humanely terminate life;
 - “dispose of” means to sell or otherwise place with a responsible carer;

“district” means the local government district of the City of Canning;

“keeper” in relation to a cat means a person over the age of 18 years in any of the following categories—

- (a) the owner of the cat;
- (b) a person by whom the cat is ordinarily kept;
- (c) a person who has or appears to have immediate custody or control of the cat;
- (d) a person who keeps the cat, or has the cat in her or his possession for the time being; or
- (e) a person who is an owner-occupier, a rent paying occupier, or otherwise a principal occupier of any premises in which the cat is ordinarily kept or ordinarily permitted to live;

“Local Government” means the City of Canning;

“Local Public Notice” has the meaning given to it in the Act;

“premises” includes—

- (a) any land and any improvements thereon; and
- (b) any part of any building in separate ownership or separate occupation, or any unit, flat, townhouse, duplex or apartment.

Application

1.4 This local law applies throughout the district.

PART 2—IDENTIFICATION OF CATS

Keeper to Identify Cat

2.1 A keeper of a cat shall identify the cat by one of the methods described in clause 2.2.

When a Cat is Identified

2.2 A cat is identified if—

- (a) the cat has a collar around its neck and the collar, or a tag securely attached to the collar, is marked with the name, current address and telephone number of a keeper of the cat; or
- (b) the cat has a microchip implanted containing information that will provide the name, current address and telephone number of a keeper of the cat.

Cats that Do Not Need to be Identified

2.3 Clause 2.1 does not apply to a cat—

- (a) kept at any refuge conducted by the RSPCA or any other approved animal welfare organisation;
- (b) kept at an animal pound which has been approved by the Local Government;
- (c) kept at a pet shop;
- (d) kept at a veterinary surgery;
- (e) which is less than 3 months old;
- (f) where an exemption has been granted by the Local Government in accordance with a policy published by the Local Government.

No Interference with Identification

2.4 A person, other than the keeper of a cat or a person acting with the keeper’s authority, shall not without reasonable excuse interfere with or remove the means by which a cat is identified under clause 2.2.

Address of Keeper

2.5 For the purpose of giving a notice to a keeper of an identified cat, the keeper’s address is to be taken to be that ascertained from the cat’s collar or tag, or on or obtained from the information contained in the microchip.

PART 3—CAT PROHIBITED AREA

Designation of Cat Prohibited Area

3.1 The lands described in Schedule 1 are designated as Cat Prohibited Areas.

3.2 A Local Government may designate further areas as Cat Prohibited Areas but shall not do so without first giving Local Public Notice of its intention to designate a place or area as a Cat Prohibited Area and considering any submissions received in response to that Local Public Notice.

3.3 In designating land for the purposes of clause 3.2 the Local Government may have regard to the following matters in relation to the land—

- (a) that the land should preferably be greater than 1 hectare in area;
- (b) the nature of the fauna on the land;

- (c) the nature of the vegetation on the land;
- (d) whether the land has been recognised by any authority as having vegetation or fauna of local, regional or State significance; and
- (e) whether the land is land to which the *Conservation and Land Management Act 1984* applies under section 5 of that Act.

Prohibition of Cats from Cat Prohibited Area

3.4 (1) A cat shall not be in a Cat Prohibited Area.

(2) If a cat is at any time in a Cat Prohibited Area then the keeper of the cat commits an offence.

3.5 (1) An authorised person may seize and remove or direct the seizure and removal of cats or a specific cat from a Cat Prohibited Area.

(2) A cat removed from a Cat Prohibited Area pursuant to this clause is to be impounded as soon as is practicable in a cat pound established or approved under clause 4.2.

PART 4—REMOVAL, IMPOUNDING AND DISPOSAL OF CATS

Act Regulates Removal, Impounding and Disposal of Cats

4.1 The removal, impounding and disposal of cats shall be in accordance with Subdivision 4 of Division 3 of Part 3 of the Act and regulation 29 of the *Local Government (Functions and General) Regulations 1996*.

Cat Pound

4.2 The Local Government may establish and maintain a pound or pounds or may approve an animal pound or cattery maintained by any person, for the impounding of cats under this local law.

Attendance at Pound

4.3 An authorised person shall be in attendance at the pound for the release of cats at such times and on such days of the week as shall from time to time be determined by the CEO.

Register of Removed and Impounded Cats

4.4 (1) The City is to keep a record of removed and impounded cats (the "Register").

(2) The Register is to contain the following information about each impounded cat—

- (a) the breed and sex of the cat;
- (b) the colour, distinguishing markings and features of the cat;
- (c) if known, the name and address of its keeper;
- (d) the date and time of removal;
- (e) the name of the person who removed the cat;
- (f) the reason for the removal;
- (g) a note of any order made by an authorised person relating to the cat; and
- (h) the date of release or disposal.

Public Access to Register

4.5 The Register is taken to be local government information which the public is entitled to inspect pursuant to section 5.94 of the Act.

No Unauthorised Release of Impounded Cat

4.6 Unless the person is authorised by the Local Government to do so a person must not—

- (a) release or attempt to release a cat from a pound; or
- (b) destroy, break into, damage or in any other way interfere with a pound; or
- (c) destroy, break into, damage or in any other way interfere with any vehicle, container or device used for the purpose of catching, holding or conveying cats.

Impoundment and Disposal

4.7 Where a cat has been impounded pursuant to this local law—

- (a) The cat shall not be returned to the keeper unless all fees, fines and costs due in respect of the cat have been paid.
- (b) If the cat is not claimed by a person lawfully entitled to do so within seven days of the date of impoundment, or if a keeper requests under clause 4.8 that the cat be destroyed—
 - (i) the cat may be destroyed by the Local Government; or
 - (ii) the cat may be disposed of, with the proceeds of sale (if any) being the absolute property of the Local Government.
- (c) The Local Government may destroy a cat that is ill or injured to such an extent that treating it is not practicable and where because of the state of the cat, destroying it is urgent.

Request to Destroy Cat

4.8 A keeper of a cat which has been impounded may request the Local Government to destroy the cat.

4.9 Where a keeper requests that an impounded cat be destroyed, the keeper must complete and sign a form of authorisation showing—

- (a) the name and residential address of the keeper making the request;
- (b) a description of the cat including its breed, colour, sex and age;
- (c) the reason for destruction; and
- (d) a signature authorising destruction or disposal,

and produce reasonable evidence to the satisfaction of the Local Government that the person making the request is the keeper of the cat and that no other person who is a keeper of that cat within the meaning of that term in Clause 1.3 objects to the destruction of the cat.

4.10 If the Local Government has been requested by a keeper of an impounded cat to destroy the cat, the Local Government may at its discretion otherwise dispose of the cat.

4.11 The Local Government may charge a keeper a fee in respect of the destruction of a cat under clause 4.9, and the Local Government from time to time may determine the fee, and the fee may be retained by the Local Government if it elects to dispose of the cat rather than destroy it.

PART 5—ABANDONMENT OF CATS**No abandonment**

5.1 A person shall not abandon a cat at any place within the district.

PART 6—EVIDENCE**Averment that person is a keeper**

6.1 In proceedings for an offence against any provision of this local law an averment in the complaint that at a specified time a person was a keeper of the cat is evidence of that fact in the absence of proof to the contrary.

Proof that cat under 3 months

6.2 The onus of proving that a cat was at a specified time under the age of 3 months lies on the person making that assertion.

PART 7—MISCELLANEOUS**Giving of a Notice**

7.1 A notice served under this local law may be given to a person—

- (a) personally;
- (b) by registered mail addressed to the person; or
- (c) by leaving it for the person at his or her address.

Immunity of Persons Acting in Good Faith

7.2 No proceeding, whether civil or penal, shall lie against an authorised person or any other person for any act, matter or thing done, or commanded to be done, in the exercise or purported exercise of a power or the performance of a duty under the provisions of this local law, or for any act, matter or thing omitted to be done, unless that act, matter or thing is done, commanded to be done, or omitted to be done, maliciously or without reasonable and probable cause.

PART 8—OFFENCES, DEFENCE AND PENALTIES*Division 1—General***Offences**

8.1 (1) Any person who fails to do anything required or directed to be done under this local law, or who does anything which under this local law that person is prohibited from doing, commits an offence.

(2) Any person who commits an offence under this local law is liable, on conviction, to a penalty not exceeding \$5,000, and if the offence is of a continuing nature, to an additional penalty not exceeding \$500 for each day or part of a day during which the offence has continued.

*Division 2—Infringement notices and modified penalties***Prescribed Offences**

8.2 (1) An offence against any provision of this local law is a prescribed offence for the purposes of section 9.16(1) of the Act.

(2) The amount appearing in the final column of Schedule 2 directly opposite an offence described in that Schedule, is the modified penalty for that offence.

Forms

8.3 (1) An infringement notice given under section 9.16(1) of the Act is to be in the form of Schedule 3.

(2) A notice sent under section 9.20 of the Act withdrawing an infringement notice is to be in the form of Schedule 4.

Note: The issue of infringement notices, their withdrawal and the effect of payment of a modified penalty are dealt with in Subdivision 2 of Division 2 of Part 9 of the Act.

Division 3—Defence

8.4 It is a defence to a charge of an offence of contravening clause 2.1 or clause 3.4 if the keeper charged satisfies the court that at the material time some other person (whom he shall identify) over the age of 18 years was the keeper of the cat(s).

Division 4—Authorised Persons

8.5 (1) The CEO may appoint suitable persons to be authorised persons for the purpose of administering and enforcing this local law.

(2) Where under this local law anything is required or authorised to be done or decided by the Local Government that thing can be done or decided by an authorised person.

Schedule 1

Cat Prohibited Areas

1. Canning River Regional Park (comprising Adenia Reserve, Ferndale Cres Parkland, Kent Street Weir, Liege Street, Masons Landing, Bridge Way Reserve, Bywater Reserve)
2. Queens Park Regional Open Space (Maniana Bushland, Station Street Bushland/Black Creek, McDowell Street Bushland)
3. Clifton Park Buffer
4. Canning Vale Waste Disposal Site
5. Livingston Bushland (Special Rural Zone)
6. Caladenia Grove Damp Land
7. Yagan Wetland Reserve
8. Centenary Park Foreshore
9. Prendwick Botanic Park

Schedule 2

City of Canning Local Law—Control and Keeping of Cats

Prescribed Offences and Modified Penalties

Item	Clause	Nature of Offence	Modified Penalty
1.	2.1	Cat not identified by keeper	\$100
2.	2.4	Interference with means of identifying a cat	\$100
3.	3.4	Cat in a Prohibited Area	\$200
4.	4.6	Unauthorised release of impounded cat	\$500
5.	5.1	Abandonment of cat	\$100

Schedule 3

Local Government Act 1995

CONTROL AND KEEPING OF CATS LOCAL LAW 2007

Form 1

INFRINGEMENT NOTICE

Serial No.

Date/...../.....

City of Canning

To: ⁽¹⁾

Of: ⁽²⁾

It is alleged that onat ⁽³⁾

At ⁽⁴⁾

you committed the following offence—

.....

contrary to clause..... of the Control and Keeping of Cats Local Law 2007.

The modified penalty for the offence is \$.....

If you do not wish to have a complaint of the alleged offence heard and determined by a court, the amount of the modified penalty may be paid to an authorised person

at the City of Canning at 1317 Albany Highway, Cannington, Western Australia within a period of 28 days after the giving of this notice.

Name and title of authorised person giving the notice

Signature

- (1) Name of alleged offender.
 (2) Address of alleged offender
 (3) Time at which offence allegedly committed
 (4) Place at which offence allegedly committed

Schedule 4

Local Government Act 1995

CONTROL AND KEEPING OF CATS LOCAL LAW 2007

Form 2

NOTICE OF WITHDRAWAL OF INFRINGEMENT NOTICE

Serial No.

Date/...../.....

City of Canning

To: ⁽¹⁾

Of: ⁽²⁾

Infringement Notice No. dated/...../..... for the alleged offence of.....

..... has been withdrawn.

The modified penalty of \$.....

- * Has been paid and a refund is enclosed.
- * Has not been paid and should not be paid.
- * Delete as appropriate

Name and title of authorised person giving the notice

Signature

Insert—

- (1) Name of alleged offender
 (2) Address of alleged offender

Dated this 21st day of August 2007.

The Common Seal of the City of Canning was affixed by authority of a resolution of the Council in the presence of—

Dr M. S. LEKIAS, AM MBBS JP, Mayor.
 DOMINIC CARBONE, Chief Executive Officer.

LG302*

Local Government Act 1995

Local Government (Constitution) Amendment Regulations 2007

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Local Government (Constitution) Amendment Regulations 2007*.

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) regulations 3 and 10 — on the day after Gazettal day;
- (c) regulation 12 — on the day on which the *Local Government (Official Conduct) Amendment Act 2007* section 11 comes into operation;
- (d) the rest of the regulations — on the day on which the *Local Government Amendment Act 2007* (other than sections 1 and 2) comes into operation.

3. The regulations amended

The amendments in these regulations are to the *Local Government (Constitution) Regulations 1998*.

4. Regulation 10A amended

- (1) Regulation 10A is amended in the definition of “election” by inserting after “Schedule 2.3” —
“ to the Act ”.
- (2) Regulation 10A is amended in the definition of “records of the election” as follows:
 - (a) in paragraph (b) by deleting “councillor” and inserting instead —
“ council member ”;
 - (b) after paragraph (c) by deleting the full stop and inserting —
“
; and
 - (d) if 3 or more candidates were named on the ballot paper, a record of the manual count that shows how the number of votes obtained or received by each candidate was ascertained or, if an electronic counting system was used for the election —
 - (i) a paper copy of the electronic record of preferences indicated on ballot papers that was used as data by the system to ascertain the number of votes obtained or received by each candidate; and
 - (ii) a paper copy of the electronic count that shows how the number of votes obtained or received by each candidate was ascertained.

”.

- (c) after paragraph (a) by inserting —
“ and ”.

5. Regulation 11A amended

- (1) Regulation 11A(3) is amended by deleting “Forms 10 and 11” and inserting instead —
“ Form 10 ”.
- (2) Regulation 11A(4) is repealed and the following subregulations are inserted instead —
“
- (4) A council member is to cast his or her vote by marking the ballot paper as follows —
- (a) if only 2 candidates are named on the ballot paper — by writing the numeral “1” in the box opposite the name of the candidate whom the council member wishes to be elected;
- (b) if 3 or more candidates are named on the ballot paper — by writing the numeral “1” in the box opposite the name of the candidate for whom the council member votes as his or her first preference, the numeral “2” in the box opposite the name of the candidate for whom the council member votes as his or her second preference, and so on, until the council member has numbered every box to indicate the order of his or her preference for all the candidates.
- (5) If preferences are indicated for all but one of the candidates, that candidate is taken to rank lowest in the order of the council member’s preference for the candidates.

”.

6. Regulation 11EA inserted

After regulation 11E the following regulation is inserted —

“

11EA. Counting of votes in accordance with Schedule 4.1 (Sch. 2.3 cl. 4, 5, 8 and 9)

Regulations made under Schedule 4.1 to the Act regarding the drawing of lots apply in respect of the election in so far as they are capable of being so applied.

”.

7. Regulation 11F amended

- (1) After regulation 11F(2)(a) the following is inserted —

“

- (aa) if 3 or more candidates were named on the ballot paper, the order of election or exclusion of each candidate; and

”.

- (2) Regulation 11F(3) is repealed and the following subregulation is inserted instead —

“

- (3) The declaration may include —

- (a) if only 2 candidates were named on the ballot paper, the number of votes received by each candidate;
- (b) if 3 or more candidates were named on the ballot paper, any of the following —
- (i) the number of first preference votes received by each candidate;
- (ii) the votes obtained or received by each candidate at election or exclusion.

”.

8. Regulation 11FA inserted

After regulation 11F the following regulation is inserted —

“

11FA. Report to Minister (Sch. 2.3 cl. 4 and 8)

- (1) Within 14 days after the declaration of the result of the election, the person conducting the election is to provide the Minister with a report as to the result of the election.
- (2) The report is to be in the form of Form 20 of the *Local Government (Elections) Regulations 1997*, modified as is necessary for the purposes of this regulation.

”.

9. Regulation 11H inserted

After regulation 11G the following regulation is inserted —

“

11H. Notice of effect of Court’s decision (Sch. 2.3 cl. 12)

If a Court of Disputed Returns makes a declaration under regulation 85(1)(a), (b) or (c) of the *Local Government (Elections) Regulations 1997*, as applied under clause 12(2) of Schedule 2.3 to the Act, the CEO is, as soon as practicable —

- (a) to give local public notice in a form that conveys the effect of the declaration; and

- (b) to provide to the Minister a report in a form that conveys the effect of the declaration.

10. Regulation 12 amended

Regulation 12 is amended as follows:

- (a) in paragraph (a)(i) by deleting “2 years” and inserting instead —
“ one year ”;
- (b) in paragraph (b)(i) by deleting “\$10 000” and inserting instead —
“ \$5 000 ”.

11. Regulation 14 amended

Regulation 14(1)(a) and (b) are amended by inserting after “Schedule 9.3” —
“ to the Act ”.

12. Schedule 1 amended

Schedule 1 is amended by deleting Forms 7 and 8 and inserting the following forms instead —

“
Form 7. Declaration by elected member of council [r. 13(1)(c)]

Local Government Act 1995
Local Government (Constitution) Regulations 1998
Declaration by elected member

I,
of¹
having been elected to the office of ²mayor/deputy mayor/president/deputy
president/councillor of the³
declare that I take the office upon myself and will duly, faithfully, honestly, and with
integrity, fulfil the duties of the office for the people in the district according to the best
of my judgment and ability, and will observe the *Local Government (Rules of Conduct)*
Regulations 2007.

Declared at on
by
Before me:

¹ Insert your residential address.
² Delete those that do not apply.
³ Insert the name of the local government.

Form 8. Declaration by commissioner [r. 13(1)(d)]

Local Government Act 1995
 Local Government (Constitution) Regulations 1998
Declaration by commissioner

I,,
 of ¹.....,
 having been appointed to the office of commissioner
 of the ².....,
 declare that I take the office upon myself and will duly, faithfully, honestly, and with
 integrity, fulfil the duties of the office according to the best of my judgment and ability.

Declared at on
 by
 Before me:

¹ Insert your residential address.

² Insert the name of the local government.

”.

13. Miscellaneous amendments

Each provision listed in column 1 of the Table to this regulation is amended by deleting the text set out in column 2, and inserting instead the text set out in column 3, opposite that provision.

Table

Column 1 Provision	Column 2 Delete	Column 3 Insert
r. 11C	councillor	council member
r. 11D(1)	councillor	council member
r. 11D(2)	councillors	council members
r. 11E(1) (3 places)	councillor	council member
r. 11E(1)	councillor's	council member's
r. 11E(2)	councillor	council member
r. 11F(1)	councillors	council members

Note: The heading to regulation 11E is to be altered by deleting “councillors” and inserting instead “**council members**”.

By Command of the Governor,

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

LG303*

Local Government Act 1995

Local Government (Administration) Amendment Regulations 2007

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Local Government (Administration) Amendment Regulations 2007*.

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 on which the *Local Government (Official Conduct) Amendment Act 2007* section 11 comes into operation.

3. The regulations amended

The amendments in these regulations are to the *Local Government (Administration) Regulations 1996*.

4. Regulation 21 amended

Regulation 21(f) is amended as follows:

- (a) by deleting subparagraphs (i) and (ii) and “or” after subparagraph (ii);
- (b) by inserting before the full stop at the end of subparagraph (iii) —

“

*and the Local Government (Rules of
Conduct) Regulations 2007*

”.

5. Regulation 29 amended

Regulation 29(1) is amended as follows:

- (a) by inserting after paragraph (ba) the following paragraph —

“

- (baa) the information contained in a register maintained under regulation 12(5) of the *Local Government (Rules of Conduct) Regulations 2007*;

”.

- (b) in paragraph (bb) —
 - (i) by deleting “token” and inserting instead —
“ notifiable ”;
 - (ii) by deleting “34B(3)” and inserting instead —
“ 34B(5) ”.

6. Regulation 34B replaced

Regulation 34B is repealed and the following regulation is inserted instead —

“

34B. Codes of conduct (gifts) — s. 5.103(3)

- (1) In this regulation —
 - “activity involving a local government discretion”** means an activity —
 - (a) that cannot be undertaken without an authorisation from the local government; or
 - (b) by way of a commercial dealing with the local government;
 - “gift”** has the meaning given to that term in section 5.82(4) except that it does not include —
 - (a) a gift from a relative as defined in section 5.74(1); or
 - (b) a gift that must be disclosed under regulation 30B of the *Local Government (Elections) Regulations 1997*; or
 - (c) a gift from a statutory authority, government instrumentality or non-profit association for professional training;
 - “notifiable gift”**, in relation to a person who is an employee, means —
 - (a) a gift worth between \$50 and \$300; or
 - (b) a gift that is one of 2 or more gifts given to the employee by the same person within a period of 6 months that are in total worth between \$50 and \$300;
 - “prohibited gift”**, in relation to a person who is an employee, means —
 - (a) a gift worth \$300 or more; or
 - (b) a gift that is one of 2 or more gifts given to the employee by the same person within a period of 6 months that are in total worth \$300 or more.

- (2) A code of conduct is to contain a requirement that a person who is an employee refrain from accepting a prohibited gift from a person who —
- (a) is undertaking or seeking to undertake an activity involving a local government discretion; or
 - (b) it is reasonable to believe is intending to undertake an activity involving a local government discretion.
- (3) A code of conduct is to contain a requirement that a person who is an employee and who accepts a notifiable gift from a person who —
- (a) is undertaking or seeking to undertake an activity involving a local government discretion; or
 - (b) it is reasonable to believe is intending to undertake an activity involving a local government discretion,
- notify the CEO, in accordance with subregulation (4) and within 10 days of accepting the gift, of the acceptance.
- (4) A code of conduct is to require that the notification of the acceptance of a notifiable gift be in writing and include —
- (a) the name of the person who gave the gift; and
 - (b) the date on which the gift was accepted; and
 - (c) a description, and the estimated value, of the gift; and
 - (d) the nature of the relationship between the person who is an employee and the person who gave the gift; and
 - (e) if the gift is a notifiable gift under paragraph (b) of the definition of “notifiable gift” in subregulation (1) (whether or not it is also a notifiable gift under paragraph (a) of that definition) —
 - (i) a description; and
 - (ii) the estimated value; and
 - (iii) the date of acceptance,of each other gift accepted within the 6 month period.
- (5) A code of conduct is to require that the CEO maintain a register of notifiable gifts and record in it details of notifications given to comply with a requirement made under subregulation (3).

7. **Regulation 34C replaced**

Regulation 34C is repealed and the following regulation is inserted instead —

“

34C. Codes of conduct (disclosure of interests affecting impartiality) — s. 5.103(3)

- (1) In this regulation —
“**interest**” means an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest and includes an interest arising from kinship, friendship or membership of an association.
- (2) A code of conduct is to contain a requirement that a person who is an employee and who has an interest in any matter to be discussed at a council or committee meeting attended by the person disclose the nature of the interest —
 - (a) in a written notice given to the CEO before the meeting; or
 - (b) at the meeting immediately before the matter is discussed.
- (3) A code of conduct is to contain a requirement that a person who is an employee and who has given, or will give, advice in respect of any matter to be discussed at a council or committee meeting not attended by the person disclose the nature of any interest the person has in the matter —
 - (a) in a written notice given to the CEO before the meeting; or
 - (b) at the time the advice is given.
- (4) A code of conduct is to exclude from a requirement made under subregulation (2) or (3) an interest referred to in section 5.60.
- (5) A code of conduct is to excuse a person from a requirement made under subregulation (2) or (3) to disclose the nature of an interest if —
 - (a) the person’s failure to disclose occurs because the person did not know he or she had an interest in the matter; or
 - (b) the person’s failure to disclose occurs because the person did not know the matter in which he or she had an interest would be discussed at the meeting and the person discloses the nature of the interest as soon as possible after becoming aware of the discussion of a matter of that kind.

- (6) A code of conduct is to require that if, to comply with a requirement made under subregulation (2) or (3), a person who is an employee makes a disclosure in a written notice given to the CEO before a meeting then —
- (a) before the meeting the CEO is to cause the notice to be given to the person who is to preside at the meeting; and
 - (b) immediately before a matter to which the disclosure relates is discussed at the meeting the person presiding is to bring the notice and its contents to the attention of the persons present.
- (7) If —
- (a) to comply with a requirement made under subregulation (2), the nature of a person's interest in a matter is disclosed at a meeting; or
 - (b) a disclosure is made as described in subregulation (5)(b) at a meeting; or
 - (c) to comply with a requirement made under subregulation (6)(b), a notice disclosing the nature of a person's interest in a matter is brought to the attention of the persons present at a meeting,

the nature of the interest is to be recorded in the minutes of the meeting.

”.

By Command of the Governor,

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

— PART 2 —

CEMETERIES

CC401*

CEMETERIES ACT 1986**CEMETERIES LOCAL LAW***Shire of Denmark*

Fees and Charges

In accord with the Local Laws Relating to the Denmark Cemetery and section 53 (2) of the *Cemeteries Act 1986*, it is hereby notified for public information that the Council of the Shire of Denmark resolved on Tuesday 7 August 2007 that the following fees and charges apply to the Denmark Cemetery and these will come into effect from Monday 10 September 2007—

Grave digging fees

For sinking the grave of all persons ten years of age and over to a depth of 2 metres	\$396
For sinking the grave of any child under the age of ten years.....	\$286
For sinking the grave of any stillborn child.....	\$165
Deeper than 2 metres—for each additional 0.3m or part thereof.....	\$66

On application for a Form of Grant of Right of Burial for Land

2.5 metres x 1.3 metres.....	\$121
2.5 metres x 2.5 metres.....	\$231
Extra charges for each interment on a Saturday, Sunday or Public Holiday	\$181.50

Other Charges—

For re-opening of any grave—	
For each interment	\$440
For each interment of a child under ten years of age	\$440
For removing monument etc from a grave prior to re-opening.....	\$88
Permission to erect headstone, kerbing or monument.....	\$11
Permission to erect any name plate	\$5.50
Copy of Grant of Right of Burial.....	\$11
Grave Number Plate	\$5.50
Undertakers Annual licence fee	GST free \$66
Interment of ashes in family grave	\$33
Interment of ashes in Niche Wall—	
Single (plus plaque actual cost).....	\$82.50
Double (plus plaque actual cost)	\$165

(Note: all fees and charges include GST unless otherwise stated)

PASCOE DURTANOVICH, Chief Executive Officer.

HEALTH

HE401*

HEALTH ACT 1911**HEALTH (INFECTIOUS DISEASES) AMENDMENT NOTICE 2007**

Made by the Governor in Executive Council under section 3(1).

Citation

1. This notice may be cited as the *Health (Infectious Diseases) Amendment Notice 2007*.

Commencement

2. This notice comes into operation as follows—

- (a) clauses 1 and 2—on the day on which this notice is published in the *Gazette*;
- (b) clause 3—on the day after that day.

Schedule 1 amended

3. Schedule 1 to the *Health (Infectious Diseases) Notice 2000** is amended in the list of infectious diseases by deleting the following diseases—

- “Amoebic meningitis”;
- “Amoebiasis”;
- “Giardiasis”;
- “Hydatid disease”, and
- “Trachoma”.

[* *Published in Gazette 29 December 2000, p. 7913—15 and amended in Gazette 24 April 2003, p. 1278, 16 January 2004, p. 202 and 28 July 2006, p. 2821*]

By Command of the Governor,

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

JUSTICE

JU401*

PRISONS ACT 1981

PERMIT DETAILS

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

SURNAME	OTHER NAMES	PERMIT No.	REVOCATION DATE
ANDERSEN	REGINE	AP 0128	15/08/2007

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

Date 17 August, 2007.

BRIAN LAWRENCE, Manager Acacia Prison Contract.

MARINE/MARITIME

MX401*

WESTERN AUSTRALIAN MARINE ACT 1982

RESTRICTED SPEED AREAS—ALL VESSELS

Lower Leschenault Inlet

Bunbury

Department for Planning and Infrastructure,
Fremantle WA, 21 August 2007.

Acting pursuant to the powers conferred by Section 67 of the *Western Australian Marine Act 1982* the department by this notice revokes Notice MX401as published in the *Government Gazette* on 5 April 2005 relating to restricted speed areas for all vessels on the Lower Leschenault Inlet.

Providing that this revocation will apply only to official bona fide demonstration and support vessels participating in the 2007 Bunbury Boat Show between the hours of 0900 to 1600 on Sunday 9 September 2007.

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

MINERALS AND PETROLEUM

MP401*

PETROLEUM ACT 1967**SURRENDER OF EXPLORATION PERMIT WA-340-P**

The surrender of Exploration Permit No. WA-340-P has been registered and will take effect on the date this Notice appears in the *Government Gazette*.

W. L. TINAPPLE, Director Petroleum & Royalties Division.

PLANNING AND INFRASTRUCTURE

PI101*

*CORRECTION***PLANNING AND DEVELOPMENT ACT 2005****APPROVED LOCAL PLANNING SCHEME AMENDMENT***City of Albany*

Town Planning Scheme No. 3—Amendment No. 260

Ref: 853/5/4/5 Pt 260

It is hereby notified for public information that the notice under the above Amendment No. 260, published at page 3076 of the *Government Gazette* No. 133 dated 26 June 2007, contained an error which is now corrected as follows—

For the words—

1. Rezoning Lot 47 and Part of Lot 52 Lower King Road, Bayonet Head.

Read—

2. Rezoning Lot 47 and Part of Lot 42 Lower King Road, Bayonet Head.

A. E. GOODE, Mayor.

A. C. HAMMOND, Chief Executive Officer.

PI401*

PLANNING AND DEVELOPMENT ACT 2005**METROPOLITAN REGION SCHEME AMENDMENT 1141/57****HEATHCOTE POINT**

Approved Amendment

File: 833-2-17-21

The Minister for Planning and Infrastructure has approved, as advertised, the abovementioned amendment to the Metropolitan Region Scheme. The amendment is shown on Western Australian Planning Commission plan number 3.2085 and is effective from the date of publication of this notice in the *Government Gazette*.

Copies of the amendment and the accompanying report on submissions are available for public inspection from Tuesday 21 August 2007 to Friday 18 September 2007 at the following locations—

- Western Australian Planning Commission, Wellington Street, Perth
- J S Battye Library, Level 3 Alexander Library Building, Perth Cultural Centre
- Municipal offices of the cities of Perth, Fremantle and Melville

Documents are also available from the WAPC's website www.wapc.wa.gov.au.

By virtue of section 126(1) of the *Planning and Development Act 2005*, the City of Melville Local Planning Scheme is amended to give effect to the reservation(s) included in MRS Amendment 1141/57.

MOSHE GILOVITZ, Secretary,
Western Australian Planning Commission.

PI402*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT

City of Armadale

Town Planning Scheme No. 4—Amendment No. 25

Ref: 853/2/22/7 Pt 25

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning and Infrastructure approved the City of Armadale local planning scheme amendment on 23 July 2007 for the purpose of—

1. Rezoning Pt Lot 8 (No.2953) Albany Highway, Kelmscott from “Residential” to “Residential/Additional Use” site for “Office” and “Consulting Rooms”.
2. Amending Schedule 2—“Additional Uses”—to include the following new entry in appropriate numerical order—

No.	Description of land	Additional use	Conditions and requirements (See Note 1)
37.	Pt Lot 8 Albany Highway, Kelmscott	Permitted (P) Uses— <ul style="list-style-type: none"> • Office; • Consulting Rooms; 	<p>37.1 All permissible use classes listed for the base Residential zone shall be D (discretionary).</p> <p>37.2 In determining any planning application for development approval the City shall have regard to the compatibility of proposed uses with the existing use of the site and any additional uses, which are permissible under the Additional Use provisions.</p> <p>37.3 The additional uses shall be located within the heritage building at the front of the lot.</p> <p>37.4 The existing heritage character building at the front of the lot shall only be used for the Additional Uses following the completion of development in accordance with a planning approval issued under Parts 8 and 9 of the Scheme and which details the proposed upgrading and refurbishment of the building and the development of landscaping, access and car parking on the site.</p> <p>37.5 All development shall generally be in accordance with the approved Development Plan.</p>

L. REYNOLDS, Mayor.
R. S. TAME, Chief Executive Officer.

PI403*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT

Shire of Broome

Town Planning Scheme No. 4—Amendment No. 35

Ref: 853/7/2/4 Pt 35

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 Broome local planning amendment on 31 July 2007 for the purpose of—

1. Amending Clause 5.9.2 of the Local Planning Scheme by changing it from—

The height of buildings within the Scheme Area shall be no more than two storeys or a maximum height of 10 metres.

And replacing it with—

The height of buildings in the Residential Zone must be in accordance with Clause 5.2.5.

The height of buildings within the ‘Mixed Use’ and ‘Tourist’ zones must not exceed a wall height, of ten (10) metres and a building height of fourteen (14) metres.’
2. Adding the following to Clause 5.2—Residential Planning Codes—

Clause 5.2.5

The height of buildings within the ‘Residential’ zone must not exceed a wall height of six and a half (6.5) metres and a building height of ten and a half (10.5) metres. This replaces the Acceptable Development provision A1.1—Category B of Table 3 of the Residential Design Codes.

3. Amends the wording of Clause 5.9.3 of the Scheme by changing it from—
 The Council shall not exercise the power in accordance with Clause 5.4.1 to vary the height limit standard of 10 metres unless Council is satisfied that the variation will not prejudice the amenity of the area and the low scale character of Broome architecture. When considering variations to the height limit, the applicant and Council shall have due regard to all of the following—
 And replacing it with—
 The Council must not exercise the power in accordance with Clause 5.4.1 to vary the height limit standards of Clause 5.9.2 unless Council is satisfied that the variation will not prejudice the amenity and the low scale character of the general area of the proposed development. When considering variations to the height limit, the applicant and Council must have due regard to all of the following—
4. Deleting the definition for 'height' and includes the definitions, 'height, building' and 'height, wall'. The definitions are to read as follows—
 'height, building'
 (a) when used in relation to a building that is used for residential purposes, has the same meaning given to it in and for the purpose of the Residential Design Codes of Western Australia; or
 (b) means the vertical distance at any point from natural ground level to the uppermost part of the building above that point (roof ridge, parapet or wall), excluding minor projections above that point.
- 'height, wall'
 (a) when used in relation to a building that is used for residential purposes, has the same meaning given to it in and for the purpose of the Residential Design Codes of Western Australia; or
 (b) when used in relation to a building that is used for purposes other than residential purposes, means the measurement taken from the natural ground level to the level of the top of the eave, parapet or flat roof, whichever is the highest.

G. T. CAMPBELL, Shire President.
 I. M. BODILL, Chief Executive Officer.

PI404*

PLANNING AND DEVELOPMENT ACT 2005
 APPROVED LOCAL PLANNING SCHEME AMENDMENT
City of Kalgoorlie-Boulder
 Town Planning Scheme No. 1—Amendment No. 75

Ref: 853/11/3/6 pt 75

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning and Infrastructure approved the City of Kalgoorlie-Boulder local planning scheme amendment on 1 August 2007 for the purpose of—

1. Rezoning Lots 41, 42 and 43 Great Eastern Highway, West Kalgoorlie from 'Mixed Business' to 'General Industry' and rezoning Lot 40 Hunter Street, West Kalgoorlie from 'Extensive Residential R2' to 'Mixed Business' zone.
2. Amending the scheme map accordingly.

R. S. YURYEVICH, Mayor
 D. S. BURNETT, Chief Executive Officer.

PI405*

PLANNING AND DEVELOPMENT ACT 2005
 APPROVED LOCAL PLANNING SCHEME AMENDMENT
Shire of Coorow
 Town Planning Scheme No. 2—Amendment No. 3

Ref: 853/3/20/2 Pt3

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister of Planning and Infrastructure approved the Shire of Coorow local planning scheme amendment on 7 August 2007 for the purposes of—

1. Inserting after Clause 5.2.3 the following—
 5.2.4 Notwithstanding Clause 5.2.3 the Council may at its discretion approve a development for grouped housing or a vacant Strata development to a density of R20, subject to the land in question being provided with a connection to deep sewer.

5.2.5 Notwithstanding Clause 5.2.3 and 5.2.4 the Council may approve a development for grouped housing to a density of R30 subject to—

- (a) The land subject to the development application being connected to deep sewer,
- (b) Notice of the proposal being given in accordance with the provision of Clause 9.4.3
- (c) Consideration being given to the effect that the proposal will have on the residential amenity of the locality by reason of streetscape, building form, servicing, privacy between buildings, over-shadowing and traffic circulation both on and off the site.
- (d) Consideration being given to the likely impacts of the development on any identifiable special character and amenity of the immediate locality in which the proposed development is to be situated.
- (e) The minimum area of the lot to which the development application is applicable being 1200m².

2. Deleting Clause 5.3.2

3. Insert in Clause 9.4.1 the following after “(b) a use not listed in the Zoning Table,”

“or

- (c) a development subject to discretionary consideration under clause 5.2.5”

M. J. GIRANDO, Shire President.
G. A. SHERRY, Chief Executive Officer.

PI406*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
Shire of Plantagenet
Town Planning Scheme No. 3—Amendment No. 40

Ref: 853/5/14/4 Pt 40

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 Plantagenet local planning scheme amendment on 7 August 2007 for the purpose of—

1. Inserting the following into Schedule 1: Interpretations of the Scheme Text the following definition for wind farm—

‘Wind Farm or Wind Energy Facility’ means premises used to generate electricity by wind force and includes any turbine, building or other structure used in conjunction with the generation of electricity by wind force but does not include turbines principally to supply electricity for a domestic property, rural use of the land or anemometers.

2. Inserting a new property into Schedule 2—ADDITIONAL USES (Clause 3.3) as follows—

No.	Land Particulars	Permitted Uses	Development Standards/Conditions
A3	Lot 1 on Diagram 14339, Albany Highway, Mount Barker <i>AMD 40</i>	Wind farm or wind energy facility	<ol style="list-style-type: none"> (i) Public Health and Aircraft, Socio-Economic Benefits, Construction, Infrastructure and Utilities, Landscape and Visual Impact, Noise, Other possible amenity impact to be to the satisfaction of the Council. (ii) Maximum number of turbines is three, the maximum rotor diameter is 55m. (iii) Noise generated shall not exceed 5dB(A) above the background sound level or 35dB(A) using a 10 minute Laeq, whichever is the greater, at surrounding nearby noise-sensitive premises. (iv) Building licences shall be required prior to construction. (v) Vehicular access routes, shall be sited to minimise the visual impact.

No.	Land Particulars	Permitted Uses	Development Standards/Conditions
			(vi) Preparation of a decommissioning and rehabilitation plan detailing how the site will be rehabilitated at the end of the use. (vii) Preparation and implementation of a drainage management plan and an erosion control plan for both wind and water.

3. Amending the Scheme Maps accordingly.

K. M. FORBES, Shire President.
R. STEWART, Chief Executive Officer.

PI407*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
Shire of Plantagenet
 Town Planning Scheme No. 3—Amendment No. 42

Ref: 853/5/14/4 Pt 42

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 Plantagenet local planning scheme amendment on 7 August 2007 for the purpose of recoding Lot 336 Booth Street, Lot 1 Oatlands Road, Lot 2 Oatlands Road and Lot 359 Fellows Street and portion of Lot 337 Martin Street from Residential (R2.5) to Residential (R20) and portion of Lot 337 Martin Street from Residential (R2.5) to Residential (R5), and amending the Town Planning Scheme No 3 maps accordingly.

K. M. FORBES, Shire President.
R. STEWART, Chief Executive Officer.

PI408*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
Shire of Busselton
 Town Planning Scheme No. 20—Amendment No. 109

Ref: 853/6/6/21 Pt 109

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 Busselton local planning scheme amendment on 31 July 2007 for the purpose of rezoning vacant crown land and adjacent unmade road reserves in Wildwood Road, Carburnup River from "Residential" zone and "unzoned" (uncoloured on the scheme map) to "Recreation" reserve, as depicted on the Scheme Amendment Map.

B. J. CLARKE, Shire President.
A. MacNISH, Chief Executive Officer.

PI409*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
Shire of Busselton
 Town Planning Scheme No. 20—Amendment No. 110

Ref: 853/6/6/21 Pt 110

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

Busselton local planning scheme amendment on 31 July 2007 for the purpose of rezoning Lot 5419 and 5420 Acton Park South Road, Chapman Hill from 'Public Purposes' reserve to 'Agriculture'.

B. J. CLARKE, Shire President.
A. MacNISH, Chief Executive Officer.

PI410*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
Shire of Busselton
Town Planning Scheme No. 20—Amendment No. 115

Ref: 853/6/6/21 Pt 115

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 Busselton local planning scheme amendment on 31 July 2007 for the purpose of amending the Scheme Map by rationalising the Vasse Development Zone and Deferred Vasse Development Zone to rezone portions of Lots 159, 460, 461 and 221, Vasse as depicted on the scheme amendment map.

B. J. CLARKE, Shire President.
A. MacNISH, Chief Executive Officer.

PREMIER AND CABINET

PC401*

INTERPRETATION ACT 1984
MINISTERIAL ACTING ARRANGEMENTS

It is hereby notified for public information that the Governor in accordance with Section 52(1)(b) of the *Interpretation Act 1984* has approved the following temporary appointment—

Hon J A McGinty MLA to act temporarily in the office of Minister for Corrective Services; Small Business; Minister Assisting the Minister for Federal-State Relations in the absence of the Hon M M Quirk MLA for the period 30 August to 2 September 2007 (both dates inclusive).

M. C. WAUCHOPE, Director General,
Department of the Premier and Cabinet.

WATER/SEWERAGE

WA401*

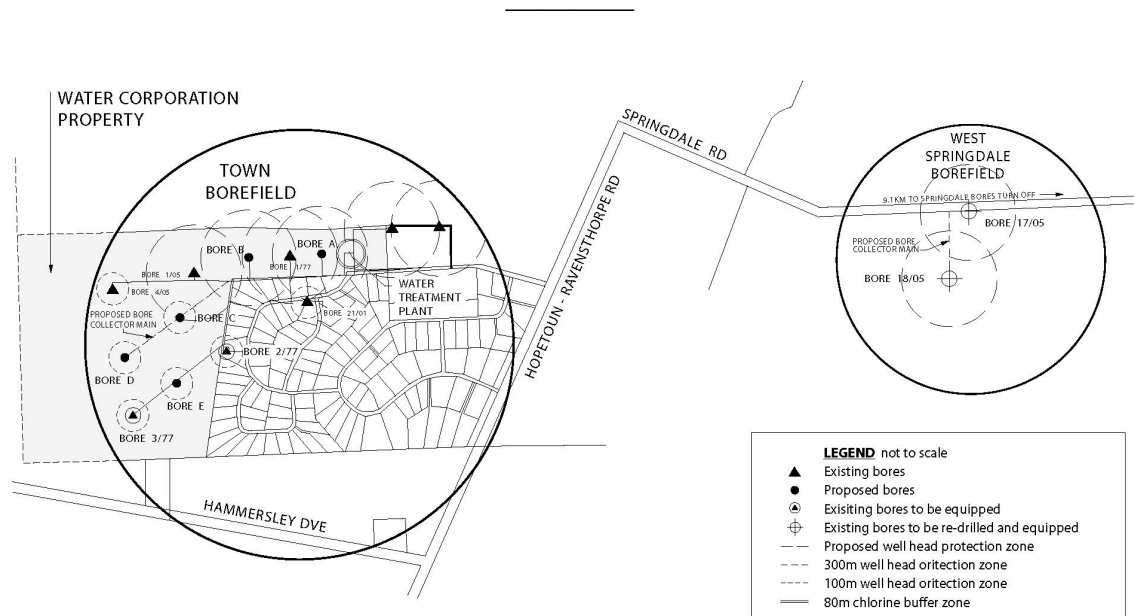
WATER AGENCIES (POWERS) ACT 1984
WATER SUPPLY IMPROVEMENTS—HOPETOUN
Shire of Ravensthorpe

Authorisation to Construct and Equip Additional Bores and Modify the
Existing Water Treatment Plant at Hopetoun

The Water Corporation is authorised to construct—

- Drill and equip a series of bores complete with associated electrical cabinets, headworks and collector main in the Town Borefield,
- Modify the existing Water Treatment Plant by installing a microfiltration unit, electro dialysis reversal unit and associated works,
- Equip bores 17/05 and 18/05 west of Jerdacuttup River near the Springdale Road and construct the collector main between them.

Additional interim water treatment facilities, tanks and pumps are to be constructed at the existing Water Treatment Plant in the Town Borefield to improve the operation of the existing plant and manage the increased flows.



DECEASED ESTATES

ZX401

TRUSTEES ACT 1962 DECEASED ESTATES

Notice to Creditors and Claimants

Stephen Allan Lenson, late of 24A Frederick Street, Albany in the State of Western Australia, Car Salesman, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962* relates) in respect of the estate of Stephen Allan Lenson deceased who died on the 18th day of June 2007 at Albany in the said State are required by the personal representative David Malcolm Moss of 45 Duke Street Albany, Western Australia to send particulars of their claims to David Moss & Co of PO Box 5744, Albany W.A. 6332 by the 10th day of September 2007 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.

WESTERN AUSTRALIA

FAIR TRADING (RETIREMENT VILLAGES CODE) REGULATIONS 2006

***Price: \$9.45 counter sales
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* Prices subject to change on addition of amendments.