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— PART 1 —

PROCLAMATIONS

AA101*

PLANNING AND DEVELOPMENT ACT 2005

No. 37 of 2005

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 *Planning and Development Act 2005* section 2 and with the advice and consent of the Executive Council, fix 1 July 2009 as the day on which section 150 and Part 13 Division 3 of that Act come into operation.

Given under my hand and the Public Seal of the State on 16 June 2009.

By Command of the Governor,

JOHN DAY, Minister for Planning.

Note: Under the *Planning and Development Regulations 2009* regulation 2(b), those regulations (other than regulations 1 and 2) come into operation on the day on which the *Planning and Development Act 2005* section 150 and Part 13 Division 3 come into operation under this proclamation.

COMMUNITY AND CHILD SERVICES

CX301*

Children and Community Services Act 2004

Children and Community Services Amendment Regulations 2009

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Children and Community Services Amendment Regulations 2009*.

2. Commencement

These regulations come into operation as follows —

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

3. Regulations amended

These regulations amend the *Children and Community Services Regulations 2006*.

4. Part 4AA inserted

After regulation 8 insert:

Part 4AA — Warrants

9AA. Form of warrant (access)

A warrant (access) as defined in section 121(1) is to be in the form of Schedule 1 Form 1.

9AB. Form of warrant (apprehension)

A warrant (apprehension) as defined in section 122(1) is to be in the form of Schedule 1 Form 2.

9AC. Form of warrant (provisional protection and care)

A warrant (provisional protection and care) as defined in section 123(1) is to be in the form of Schedule 1 Form 3.

5. Schedule 1 inserted

After regulation 29 insert:

Schedule 1 — Forms of warrants

[r. 9AA, 9AB and 9AC]

1. Warrant (access)

In the Children's Court at		Warrant (access)		
File No.				
To	All authorised officers.			
Details of child	Surname		Date of birth	
	Given names		Gender	
	Address			

Details of applicant	Name				
	Division				
	Address				
	Telephone		Fax		Email
Section	This warrant is issued under section <input type="checkbox"/> 34(3) <input type="checkbox"/> 52(4) <input type="checkbox"/> 135(5)				
Authority and directions	<p>This warrant authorises you —</p> <p>(a) to enter, at any time, any place where you reasonably believe the child to be; and</p> <p>(b) to search the place for the purpose of finding the child; and</p> <p>(c) to remain at the place for as long as you consider reasonably necessary to find the child; and</p> <p>(d) if the child is found, to remain at the place and have access to the child for as long as the officer considers reasonably necessary.</p> <p>This warrant must be executed in accordance with the <i>Children and Community Services Act 2004</i> section 124.</p>				
Issuing details	Name of magistrate				
	Date		Time		
Magistrate's signature	Issued by me on the above date and at the above time.			Court seal	
Execution details	Date		Time		
	Address				
	<input type="checkbox"/> The warrant was executed.				
	<input type="checkbox"/> The warrant could not be executed despite every reasonable effort.				
	<input type="checkbox"/> The warrant was not executed after the determination that access was no longer necessary.				
Authorised officer in charge of execution	Name				
	Position				
	Signature				

2. Warrant (apprehension)

In the Children's Court at		Warrant (apprehension)		
File No.				
To	All authorised officers. All police officers.			
Details of child	Surname		Date of birth	
	Given names		Gender	
	Address			

Details of applicant	Name					
	Division					
	Address					
	Telephone		Fax		Email	
Section	This warrant is issued under section <input type="checkbox"/> 85(3) <input type="checkbox"/> 86(3)					
Authority and directions	<p>This warrant authorises you —</p> <p>(a) to enter, at any time, any place where you reasonably believe the child to be; and</p> <p>(b) to search the place for the purpose of finding the child; and</p> <p>(c) to remain at the place for as long as you consider reasonably necessary to find the child; and</p> <p>(d) if the child is found, to apprehend the child and —</p> <p style="padding-left: 20px;">(i) in the case of a warrant issued under the <i>Children and Community Services Act 2004</i> section 85, to take the child to such place as the CEO directs; or</p> <p style="padding-left: 20px;">(ii) in the case of a warrant issued under section 86 of that Act, to take the child to the place referred to in section 86(1) or such other place as the CEO directs.</p> <p>This warrant must be executed in accordance with the <i>Children and Community Services Act 2004</i> section 124.</p>					
Issuing details	Name of magistrate					
	Date		Time			
Magistrate's signature	Issued by me on the above date and at the above time.			Court seal		
Execution details	Date		Time			
	Address					
	<input type="checkbox"/> The warrant was executed.					
	<input type="checkbox"/> The warrant could not be executed despite every reasonable effort.					
<input type="checkbox"/> The warrant was not executed after the determination that apprehension of the child was no longer necessary.						
Authorised officer in charge of execution	Name					
	Position					
	Signature					

3. Warrant (provisional protection and care)

In the Children's Court at	Warrant (provisional protection and care)
File No.	
To	All authorised officers. All police officers.

Details of child	Surname		Date of birth	
	Given names		Gender	
	Address			
Details of applicant	Name			
	Division			
	Address			
	Telephone		Fax	
Section	This warrant is issued under section <input type="checkbox"/> 35(3) <input type="checkbox"/> 133(3)			
Authority and directions	<p>This warrant authorises you —</p> <p>(a) to enter, at any time, any place where you reasonably believe the child to be; and</p> <p>(b) to search the place for the purpose of finding the child; and</p> <p>(c) to remain at the place for as long as you consider reasonably necessary to find the child; and</p> <p>(d) if the child is found, to take the child into provisional protection and care and to such place as the CEO directs.</p> <p>This warrant must be executed in accordance with the <i>Children and Community Services Act 2004</i> section 124.</p>			
Issuing details	Name of magistrate			
	Date		Time	
Magistrate's signature	Issued by me on the above date and at the above time.		Court seal	
Execution details	Date		Time	
	Address			
	<input type="checkbox"/> The warrant was executed.			
	<input type="checkbox"/> The warrant could not be executed despite every reasonable effort.			
	<input type="checkbox"/> The warrant was not executed after the determination that taking the child into provisional protection care was no longer necessary.			
Authorised officer in charge of execution	Name			
	Position			
	Signature			

By Command of the Governor,

R. KENNEDY, Clerk of the Executive Council.

CONSUMER AND EMPLOYMENT PROTECTION

CE301*

Retail Trading Hours Act 1987

Retail Trading Hours (Australind) Exemption Order 2009

Made by the Minister for Commerce.

1. Citation

This order is the *Retail Trading Hours (Australind) Exemption Order 2009*.

2. Commencement

This order comes into operation as follows —

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

3. Application

This order applies to each general retail shop in —

- (a) the retail complex known as “Australind Shopping Centre” (located at 301 Old Coast Road, Australind); and
- (b) the retail complex known as “Mardo Commercial Complex” (located at 1 Mardo Avenue, Australind).

4. Exemptions

Each general retail shop to which this order applies is exempted from section 12(1) of the Act on the day specified in column 1 of the Table if the shop is closed —

- (a) during the hours specified for that day in column 2 of the Table; and
- (b) on Christmas Day, Good Friday and Anzac Day.

Table

Column 1	Column 2
Monday Tuesday Wednesday Friday	until 7.00 a.m. and from and after 8.00 p.m.

Column 1	Column 2
Thursday	until 7.00 a.m. and from and after 9.00 p.m.
Saturday Sunday	until 8.00 a.m. and from and after 6.00 p.m.

Date: 3 June 2009.

TROY BUSWELL, Minister for Commerce.

CE302*

Retail Trading Hours Act 1987

Retail Trading Hours (Mount Barker) Exemption Order 2009

Made by the Minister for Commerce.

1. Citation

This order is the *Retail Trading Hours (Mount Barker) Exemption Order 2009*.

2. Commencement

This order comes into operation as follows —

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

3. Application

- (1) In this clause —

Mount Barker means the area constituting the townsite of Mount Barker for the purposes of the *Land Administration Act 1997*.

- (2) This order applies to each general retail shop in Mount Barker.

4. Exemption — Sundays

Each general retail shop to which this order applies is exempted from section 12(1)(d) of the Act if the shop is closed until 9.00 a.m. and from and after 3.00 p.m.

Date: 3 June 2009.

TROY BUSWELL, Minister for Commerce.

CORRECTIVE SERVICES

CS301*

Young Offenders Act 1994

Young Offenders Amendment Regulations 2009

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Young Offenders Amendment Regulations 2009*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — 1 July 2009.

3. Regulations amended

These regulations amend the *Young Offenders Regulations 1995*.

4. Regulation 2 amended

In regulation 2 insert in alphabetical order:

juvenile custodial officer means a person appointed under section 11(1a)(a) of the Act;

5. Regulation 40A amended

In regulation 40A:

- (a) delete “\$150” and insert:

\$250

- (b) delete “up” and insert:

down

6. Regulation 42 amended

In regulation 42:

- (a) in paragraph (a) delete “\$35.00” and insert:

\$50.11

- (b) in paragraph (b) delete “\$25.00” and insert:

\$35.80

- (c) in paragraph (c) delete “\$15.00” and insert:

\$21.48

7. Regulation 43 amended

Delete regulation 43(1) and insert:

- (1) Subject to subregulations (2A), (2) and (3), the gratuities that may be credited to a detainee in a detention centre other than a special detention centre are \$21.48 each week.
- (2A) The rate of gratuities to be credited under subregulation (1) is to be varied each year according to the variation in the previous year of the Consumer Price Index (all groups) Perth as issued by the Australian Bureau of Statistics under the authority of the *Census and Statistics Act 1905* (Commonwealth) and the date from which any such variation is to be credited is to be determined by the chief executive officer.

8. Regulation 47 amended

In regulation 47 delete the definition of *group worker*.

9. Regulation 48 amended

In regulation 48(1) delete “group workers” and insert:

juvenile custodial officers

10. Regulations 51 and 52 amended

In the provisions listed in the Table delete “group worker” (each occurrence) and insert:

juvenile custodial officer

Table

r. 51(1)	r. 51(2)
r. 51(3)	r. 51(4)
r. 51(5)	r. 51(6)
r. 52(1)	r. 52(2)
r. 52(3)	r. 52(4)
r. 52(5)	

11. Regulation 53 amended

- (1) In regulation 53(1) delete “group workers” and insert:

juvenile custodial officers

- (2) In regulation 53(2) in the definition of *employee* delete “group workers” and insert:

juvenile custodial officers

12. Regulation 70 amended

In regulation 70(1) delete “group workers” and insert:

juvenile custodial officers

13. Regulation 72 amended

- (1) After regulation 72(3) insert:
 - (4A) A member of the medical staff who conducts the examination must ensure that a written report of the examination is prepared and forwarded to the superintendent.
- (2) In regulation 72(4):
 - (a) delete “A nurse or medical officer” and insert:

The superintendent
 - (b) delete “staff and the photographs, along with a copy of any medical report, must be forwarded to the superintendent.” and insert:

staff.

14. Regulation 101 amended

- (1) In regulation 101(3) delete “or urine”.
- (2) After regulation 101(3) insert:
 - (4) A body sample that is to be taken in the form of urine is to be taken by —
 - (a) a medical practitioner; or
 - (b) a registered nurse; or
 - (c) a juvenile custodial officer authorised by the chief executive officer to take urine samples.

By Command of the Governor,

R. KENNEDY, Clerk of the Executive Council.

LANDS

LA301*

Transfer of Land Act 1893

**Transfer of Land Amendment Regulations
(No. 2) 2009**

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Transfer of Land Amendment Regulations (No. 2) 2009*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations —
 - (i) on 1 July 2009; or
 - (ii) if the day on which the *Transfer of Land Amendment Regulations 2009* regulation 3 comes into operation is later than 1 July 2009 — immediately after that regulation comes into operation.

3. Regulations amended

These regulations amend the *Transfer of Land Regulations 2004*.

4. Regulation 9 deleted

Delete regulation 9.

5. Regulation 10 amended

In regulation 10 delete “5.00 p.m.” and insert:

4.30 p.m.

6. Schedule 1 amended

- (1) This regulation amends Schedule 1.

(2) Delete Division 1 item 2 and insert:

2. Of a transfer —

- (a) that is exempt from duty under the *Stamp Act 1921* or the *Duties Act 2008*; or
- (b) on which nominal duty is chargeable under the *Duties Act 2008*; or
- (c) on which duty is chargeable under the *Stamp Act 1921* Second Schedule item 6 \$110.00

(3) Delete Division 1 item 4 and insert:

4. Of any other transfer where the value of the consideration in respect of the land or the value of the land as assessed under the *Stamp Act 1921* or the *Duties Act 2008*, whichever is the greater —

does not exceed \$85 000	\$110.00
exceeds \$85 000 but does not exceed \$120 000	\$120.00
exceeds \$120 000 but does not exceed \$200 000	\$140.00
plus, for each whole or part of \$100 000 above \$200 000	\$20.00

Note: Where —

- (a) stamp duty is assessed on a parcel of land; and
- (b) transfers are lodged for parts of that parcel; and
- (c) a separate value for each part is not allocated in the contract,

the fee for registering and recording the first of the transfers lodged for registration is to be assessed under item 4 on the value as assessed under the *Stamp Act 1921* or the *Duties Act 2008* of the parcel and, subject to proof of the payment of that fee, the fee for registering and recording each of the second and subsequent of the transfers is \$110.00

Note: The fees specified in items 1 to 4 include the creation and registration of a new certificate of title where such certificate is required by the Registrar.

(4) Delete Division 2 items 2, 3 and 4 and insert:

2. Of a deposited plan of Crown land that is not a subdivision —

- (a) general fee \$204.00
- (b) for each lot \$56.00
- (c) for each sheet in addition to the first sheet \$204.00

3. Of any other deposited plan —

- (a) general fee \$204.00

- (b) for each lot (including any lot shown on an inset on the plan) other than a lot vesting in the Crown under the *Planning and Development Act 2005* section 152 \$56.00
4. Of a replacement plan \$204.00

[Note my changes in line with our discussions today.]

- (5) In Division 6 item 19 after “facsimile machine” insert:

or via email
- (6) In Division 7 item 3 delete “of a certificate” and insert:

certificate
- (7) In Division 7 item 7 delete “in respect of” and insert:

on
- (8) Delete Division 7 item 9 and insert:
9. Cancellation of a deposited plan \$178.00
- (9) Delete Division 7 item 12.
- (10) Amend the provisions listed in the Table as set out in the Table.

Table

Provision	Delete	Insert
Division 1 item 1	\$105.00	\$110.00
Division 1 item 3	\$105.00	\$110.00
Division 1 item 5	\$105.00	\$110.00
Division 1 item 6	\$105.00	\$110.00
Division 1 item 7	\$105.00	\$110.00
Division 1 item 8	\$105.00	\$110.00
Division 1 item 9	\$105.00	\$110.00

Provision	Delete	Insert
Division 1 item 10	\$105.00	\$110.00
Division 1 item 11	\$105.00	\$110.00
Division 2 item 1	\$105.00	\$110.00
Division 2 item 5	\$52.50	\$55.00
Division 2 item 6	\$105.00	\$110.00
Division 2 item 7	\$105.00	\$110.00
Division 2 item 8	\$105.00	\$110.00
Division 2 item 9	\$105.00	\$110.00
Division 2 item 10	\$105.00	\$110.00
Division 3 item 1	\$105.00	\$110.00
Division 3 item 2	\$52.50	\$55.00
Division 4 item 1(a)	\$105.00	\$110.00
Division 4 item 2	\$105.00	\$110.00
Division 4 item 3	\$105.00	\$110.00
Division 4 item 4	\$105.00	\$110.00
Division 4 item 5	\$210.00	\$220.00
Division 4 item 6	\$105.00	\$110.00
Division 4 item 7A	\$105.00	\$110.00
Division 4 item 7	\$105.00	\$110.00
Division 5 item 1	\$105.00	\$110.00
Division 6 item 1	\$17.50	\$18.00
Division 6 item 2	\$17.50	\$18.00

Provision	Delete	Insert
Division 6 item 3	\$17.50	\$18.00
Division 6 item 4	\$17.50	\$18.00
Division 6 item 5(a)	\$8.75	\$9.00
Division 6 item 5(b)	\$17.50	\$18.00
Division 6 item 6(a)	\$8.75	\$9.00
Division 6 item 6(b)	\$17.50	\$18.00
Division 6 item 7	\$17.50	\$18.00
Division 6 item 8	\$17.50	\$18.00
Division 6 item 9	\$17.50	\$18.00
Division 6 item 10	\$17.50	\$18.00
Division 6 item 12	\$8.75	\$9.00
Division 6 item 13	\$17.50	\$18.00
Division 6 item 14	\$17.50	\$18.00
Division 6 item 15	\$17.50	\$18.00
Division 6 item 16	\$17.50	\$18.00
Division 6 item 17	\$8.75	\$9.00
Division 6 item 18(a)	\$8.75	\$9.00
Division 6 item 19	\$2.40	\$2.50
Division 6 item 21	\$8.75	\$9.00
Division 6 item 22	\$17.50	\$18.00
Division 6 item 23	\$17.50	\$18.00
Division 7 item 1	\$105.00 (each occurrence)	\$110.00

Provision	Delete	Insert
Division 7 item 3	\$105.00	\$110.00
Division 7 item 4	\$105.00	\$110.00
Division 7 item 5	\$105.00	\$110.00
Division 7 item 6(a)	\$89.00	\$92.00
Division 7 item 6(b)(i)	\$50.00	\$52.00
Division 7 item 6(b)(ii)	\$75.00	\$78.00
Division 7 item 8	\$105.00	\$110.00
Division 7 item 15	\$34.00	\$35.00

7. Schedule 3 deleted

Delete Schedule 3.

By Command of the Governor,

R. KENNEDY, Clerk of the Executive Council.

LA302*

Registration of Deeds Act 1856

Registration of Deeds Amendment Regulations 2009

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Registration of Deeds Amendment Regulations 2009*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on 1 July 2009.

3. Regulations amended

These regulations amend the *Registration of Deeds Regulations 2004*.

4. Schedule 1 amended

- (1) This regulation amends Schedule 1.
- (2) Delete Division 3 item 2 and insert:
 - 2. Withdrawal of a memorial registered under section 46 of the *Land Tax Assessment Act 1976* before that Act was repealed or the *Taxation Administration Act 2003* Part 6 Division 2 \$110
- (3) Amend the items listed in the Table as set out in the Table.

Table

Provision	Delete	Insert
Division 1 item 1	\$105	\$110
Division 1 item 2	\$105	\$110
Division 2 item 1	\$17.50	\$18.00

By Command of the Governor,

R. KENNEDY, Clerk of the Executive Council.

LA303*

Strata Titles Act 1985

Strata Titles General Amendment Regulations 2009

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Strata Titles General Amendment Regulations 2009*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on 1 July 2009.

3. Regulations amended

These regulations amend the *Strata Titles General Regulations 1996*.

4. Schedule 1 amended

- (1) This regulation amends Schedule 1.
- (2) Delete item 1(a) and (b) and insert:
 - (a) on lodgment of any plan — general fee, including —
 - (i) plan of conversion; and
 - (ii) sketch plan for merger of strata schemes 204.00

plus, for each lot shown on the plan, other than a lot that is proposed to be vested in the Crown under the *Planning and Development Act 2005* section 152 56.00
 - (b) on lodgment of a replacement plan 204.00

- (3) Amend the items listed in the Table as set out in the Table.

Table

Provision	Delete	Insert
item 1(c)	89.00	92.00
item 1(d)	105.00	110.00
item 1(e)	105.00	110.00
item 1(f)	105.00	110.00
item 1(g)	105.00	110.00
item 3(a)	\$600	\$625
item 3(a)	\$60	\$62.50
item 3(b)	99	100
item 3(b)	\$900	\$937.50
item 3(b)	\$40	\$41.50
item 3(c)	100	101
item 3(c)	\$4 700.	\$4 880.

By Command of the Governor,

R. KENNEDY, Clerk of the Executive Council.

LA304*

Valuation of Land Act 1978

Valuation of Land Amendment Regulations (No. 2) 2009

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Valuation of Land Amendment Regulations (No. 2) 2009*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on 1 July 2009.

3. Regulations amended

These regulations amend the *Valuation of Land Regulations 1979*.

4. Schedule 1 amended

- (1) This regulation amends Schedule 1.
- (2) Amend the items listed in the Table as set out in the Table.

Table

Provision	Delete	Insert
item 1	\$125.00	\$130.00
item 2	\$50.00	\$52.00
item 4	\$15.00	\$15.50

By Command of the Governor,

R. KENNEDY, Clerk of the Executive Council.

LOCAL GOVERNMENT

LG301*

Local Government Act 1995

**District of Dandaragan (Discontinuance of
Ward System) Order 2009**

Made by the Lieutenant-Governor and deputy of the Governor in Executive Council on the recommendation of the Minister for Local Government.

1. Citation

This order is the *District of Dandaragan (Discontinuance of Ward System) Order 2009*.

2. Commencement

This order comes into operation as follows —

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

3. Terms used

In this order —

commencement day means the day on which clause 4 comes into operation;

district means the district known as the Shire of Dandaragan;

election day means the day fixed for the holding of the poll for the next election;

next election means the first ordinary election for the district held after commencement day.

4. Abolition of wards (s. 2.2(1)(d) of the Act)

All of the wards in the district are abolished immediately before election day.

5. Consequential directions (s. 9.62 of the Act)

In order to give effect to clause 4 —

- (a) on and from election day each councillor on the council of the district whose term expires in 2011 is to be taken to have been elected as if the district had not been divided into wards when the councillor was elected; and

- (b) Part 4 of the Act otherwise applies, with any necessary modifications, to preparing for and conducting the next election as if the changes effected by clause 4 take effect on commencement day.

By Command of the Lieutenant-Governor and
deputy of the Governor,

R. KENNEDY, Clerk of the Executive Council.

LG302*

Local Government Act 1995

District of Kent (Discontinuance of Ward System) Order 2009

Made by the Lieutenant-Governor and deputy of the Governor in Executive Council on the recommendation of the Minister for Local Government.

1. Citation

This order is the *District of Kent (Discontinuance of Ward System) Order 2009*.

2. Commencement

This order comes into operation as follows —

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

3. Terms used

In this order —

commencement day means the day on which clause 4 comes into operation;

district means the district known as the Shire of Kent;

election day means the day fixed for the holding of the poll for the next election;

next election means the first ordinary election for the district held after commencement day.

4. Abolition of wards (s. 2.2(1)(d) of the Act)

All of the wards in the district are abolished immediately before election day.

5. Consequential directions (s. 9.62 of the Act)

In order to give effect to clause 4 —

- (a) on and from election day each councillor on the council of the district whose term expires in 2011 is to be taken to have been elected as if the district had not been divided into wards when the councillor was elected; and
- (b) Part 4 of the Act otherwise applies, with any necessary modifications, to preparing for and conducting the next election as if the changes effected by clause 4 take effect on commencement day.

By Command of the Lieutenant-Governor and
deputy of the Governor,

R. KENNEDY, Clerk of the Executive Council.

LG303*

Local Government Act 1995

District of Plantagenet (Discontinuance of Ward System) Order 2009

Made by the Lieutenant-Governor and deputy of the Governor in Executive Council on the recommendation of the Minister for Local Government.

1. Citation

This order is the *District of Plantagenet (Discontinuance of Ward System) Order 2009*.

2. Commencement

This order comes into operation as follows —

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

3. Terms used

In this order —

commencement day means the day on which clause 4 comes into operation;

district means the district known as the Shire of Plantagenet;

election day means the day fixed for the holding of the poll for the next election;

next election means the first ordinary election for the district held after commencement day.

4. Abolition of wards (s. 2.2(1)(d) of the Act)

All of the wards in the district are abolished immediately before election day.

5. Consequential directions (s. 9.62 of the Act)

In order to give effect to clause 4 —

- (a) on and from election day each councillor on the council of the district whose term expires in 2011 is to be taken to have been elected as if the district had not been divided into wards when the councillor was elected; and
- (b) Part 4 of the Act otherwise applies, with any necessary modifications, to preparing for and conducting the next election as if the changes effected by clause 4 take effect on commencement day.

By Command of the Lieutenant-Governor and
deputy of the Governor,

R. KENNEDY, Clerk of the Executive Council.

LG304*

Local Government Act 1995

District of Wandering (Discontinuance of Ward System) Order 2009

Made by the Lieutenant-Governor and deputy of the Governor in Executive Council on the recommendation of the Minister for Local Government.

1. Citation

This order is the *District of Wandering (Discontinuance of Ward System) Order 2009*.

2. Commencement

This order comes into operation as follows —

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

3. Terms used

In this order —

commencement day means the day on which clause 4 comes into operation;

district means the district known as the Shire of Wandering;

election day means the day fixed for the holding of the poll for the next election;

next election means the first ordinary election for the district held after commencement day.

4. Abolition of wards (s. 2.2(1)(d) of the Act)

All of the wards in the district are abolished immediately before election day.

5. Consequential directions (s. 9.62 of the Act)

In order to give effect to clause 4 —

- (a) on and from election day each councillor on the council of the district whose term expires in 2011 is to be taken to have been elected as if the district had not been divided into wards when the councillor was elected; and
- (b) Part 4 of the Act otherwise applies, with any necessary modifications, to preparing for and conducting the next election as if the changes effected by clause 4 take effect on commencement day.

By Command of the Lieutenant-Governor and
deputy of the Governor,

R. KENNEDY, Clerk of the Executive Council.

PREMIER AND CABINET

PC301*

Alteration of Statutory Designations Act 1974

**Alteration of Statutory Designations (DPI)
Order 2009**

Made by the Governor in Executive Council.

1. Citation

This order is the *Alteration of Statutory Designations (DPI) Order 2009*.

2. Commencement

This order comes into operation on 1 July 2009.

3. References to department altered

(1) In this clause —

DPI means the former Department for Planning and Infrastructure;

relevant successor means —

- (a) the Department of Planning in relation to a function of, office in, or other matter relating to, the DPI that on 1 July 2009 becomes a function of, office in, or other matter relating to, the Department of Planning;
- (b) the Department of Transport in relation to a function of, office in, or other matter relating to, the DPI that on 1 July 2009 becomes a function of, office in, or other matter relating to, the Department of Transport;
- (c) the Department of Regional Development and Lands in relation to a function of, office in, or other matter relating to, the DPI that on 1 July 2009 becomes a function of, office in, or other matter relating to, the Department of Regional Development and Lands.

(2) Subject to subclause (3), it is directed that a reference to the DPI contained in —

- (a) any law; or
- (b) any instrument, contract, or legal proceedings made or commenced before the coming into operation of this order,

is to be read and construed as a reference to the relevant successor.

- (3) A reference is not to be read and construed in accordance with subclause (2) if the context of the reference otherwise requires.

By Command of the Governor,

R. KENNEDY, Clerk of the Executive Council.

TREASURY AND FINANCE

TF301*

Pay-roll Tax Assessment Act 2002

Pay-roll Tax Assessment Amendment Regulations 2009

Made by the Lieutenant-Governor and deputy of the Governor in Executive Council.

1. Citation

These regulations are the *Pay-roll Tax Assessment Amendment Regulations 2009*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on 1 July 2009.

3. Regulations amended

These regulations amend the *Pay-roll Tax Assessment Regulations 2003*.

4. Regulation 31 amended

In regulation 31(b) delete “70c.” and insert:

75c.

By Command of the Lieutenant-Governor and
deputy of the Governor,

R. KENNEDY, Clerk of the Executive Council.

WORKCOVER

WC301*

Workers' Compensation and Injury Management Act 1981

Workers' Compensation and Injury Management (Specified Industrial Diseases) Order 2008

Made by the Governor in Executive Council under section 45 of the Act.

1. Citation

This order is the *Workers' Compensation and Injury Management (Specified Industrial Diseases) Order 2008*.

2. Addition to Schedule 3

The disease and the process named in the Table are included in Schedule 3.

Column 1	Column 2
Description of Disease	Description of Process
Pleural plaques (diffuse pleural fibrosis)	Any process entailing substantial exposure to asbestos dust.

Note: In accordance with section 45(2) of the Act this order takes effect on the expiration of 3 months from the date of publication in the *Gazette*.

By Command of the Governor,

G. M. PIKE, Clerk of the Executive Council.

— PART 2 —

AGRICULTURE AND FOOD

AG401*

AGRICULTURAL PRODUCE COMMISSION ACT 1988

PRODUCERS OF TOMATOES GROWN COMMERCIALY IN WESTERN AUSTRALIA

Notice is hereby given in accordance with the *Agricultural Produce Commission Act 1988* (the "Act") that as from 1 August 2009 producers of tomatoes grown commercially in Western Australia will be liable to pay Fee for Service in accordance with the Act and the *Agricultural Produce (Horticultural Industry) Regulations 2001*.

The Fee-for-Service charge will be payable to the APC Vegetable Producers' Committee at the rate of—

- \$0.04 per package up to 100kgs;
- \$0.15 per package from 101-500kgs; and
- \$0.15 increments per 500 kgs thereafter.

P. WELLS, Chairman.

CORRECTIVE SERVICES

CS401*

COURT SECURITY AND CUSTODIAL SERVICES ACT 1999

PERMIT DETAILS

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

Surname	First Name(s)	Permit Number	Date Permit Issued	Permit Commence Date	Permit Expiry Date
Aldridge	Roger Peter	CS9-458	16/06/2009	12/06/2009	30/07/2011

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

BRIAN LAWRENCE, CSCS Contract Manager.

CS402*

COURT SECURITY AND CUSTODIAL SERVICES ACT 1999

REVOCATIONS

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

Surname	First Name(s)	Permit Number	Date Permit Revoked
Powell	Graham Kenneth	CS9-150	16/06/2009
Stokoe	Nina Mary	CS9-156	16/06/2009

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

BRIAN LAWRENCE, CSCS Contract Manager.

ENERGY

EN401*

ENERGY COORDINATION ACT 1994

APPROVAL OF AMENDMENTS TO GAS RETAIL MARKET SCHEME

The Authority, pursuant to Section 11ZOM of the *Energy Coordination Act 1994*, hereby gives notice that the following amendments to the Constitution of the Retail Energy Market Company Limited ("REMCo") have been approved.

1. In clause 1.1—

- (i) delete the following defined terms—
 - A. "AGL";
 - B. "AlintaGas Sales";
 - C. "AlintaGas Networks";
 - D. "Envestra";
 - E. "Member Jurisdiction";
 - F. "Origin Energy";
 - G. "SA Majority Retailer";
 - H. "SA Network Operator";
 - I. "WA Majority Retailer"; and
 - J. "WA Network Operator".
- (ii) in the definition of "Appointing Member", after the word "means"—
 - A. delete "at the time of incorporation of the Company, AlintaGas Sales, Origin Energy, AlintaGas Networks and Envestra, and thereafter a Member that has the ownership/control or market share qualification identified in clause 11.3(b)(vi)"; and
 - B. insert "the Majority Network Operator or the Majority Retailer, depending on the context";
- (iii) in the definition of "Gas Distribution Licence"—
 - A. delete "any instrument as described in Schedule 1"; and
 - B. insert "a Distribution Licence issued under s.11D of the *Energy Coordination Act 1994* of Western Australia";
- (iv) in the definition of "Gas Trading Licence"—
 - A. delete "any instrument as described in Schedule 2"; and
 - B. insert "a Trading Licence issued under s.11D of the *Energy Coordination Act 1994* of Western Australia";
- (v) in the definition of "Government"—
 - A. delete "State or Territory Government of the Member Jurisdictions"; and
 - B. insert "the Government of Western Australia";
- (vi) after the definition of "Licence", insert the following definitions—
 - A. "'Majority Retailer' means the retailer which meets the market share requirements in clause 11.3(b)(vi)(C), from time to time."; and
 - B. "'Majority Network Operator' means the network operator which meets the control or ownership requirements in clause 11.3(b)(vi)(A), from time to time."
- (vii) in the definition of "Market Participant", after the words "market of"—
 - A. insert "Western Australia"; and
 - B. delete "a Member Jurisdiction";
- (viii) in the definition of "Market Share"—
 - A. after "the current User in", delete "a Member Jurisdiction" and insert "Western Australia"; and
 - B. after "all current Users in", delete "that Member Jurisdiction" and insert "Western Australia";
- (ix) in the definition "Network Operator"—
 - A. following "network in", insert "Western Australia";
 - B. delete "a Member Jurisdiction";
 - C. delete "the SA network operator and the WA"; and
 - D. following the words "not limited to, the" insert "Majority";
- (x) in the definition of "Retail Market Rules", following the words "the operation of"—
 - A. delete "the Member Jurisdiction"; and
 - B. insert "Western Australia's"; and

(xi) in the definition of “User”, delete “and Part 3, Section 10 of the *Gas Pipeline Access (South Australia) Act 1997*”.

2. In clause 1.4, after the words “delivery point identifier”, delete the words “, and”; and after the words “current user” insert the words “and ‘GDS’”.

3. In clause 2.1, after the words “retail market within”, delete “a Member Jurisdiction” and insert “Western Australia”.

4. In clause 2.2(h) after the words “to consult with”, delete “Member Jurisdiction governments” and insert “Government”.

5. In clause 7.1, after the words “one or more customer(s)” delete “, and the term ‘GDS’ has the same meaning given to that term in the Retail Market Rules”.

6. In clause 11.1, delete the number “8” and insert the number “6”.

7. Delete clause 11.3(a).

8. In clause 11.3(b)—

(i) delete the word “Thereafter” and insert “The composition of the Board will be determined as set out in this clause 11.3(b)”;

(ii) delete the present clause 11.3(b)(i) and replace it with the following clause—

“(i) subject to clause 11.3(b)(ii), at all times the composition of the Board shall be as follows—

(A) 1 Director nominated by the Majority Retailer;

(B) 1 Director nominated by the Majority Network Operator;

(C) 2 Independent Directors; and

(D) 2 Directors nominated by Members other than the Majority Network Operator and the Majority Retailer;”;

(iii) delete the present clause 11.3(b)(ii) and replace it with the following clause—

“(ii) if, at any time—

(A) none of the Members meets the requirements for Majority Retailer set out in clause 11.3(b)(vi)(C), the Director that otherwise would have been nominated by the Majority Retailer under clause 11.3(b)(i)(A) will instead be nominated by agreement of Members holding a Gas Trading Licence or carrying on the business of a Gas Retailer; or

(B) none of the Members meets the requirements for Majority Network Operator set out in clause 11.3(b)(vi)(A), the Director that otherwise would have been nominated by the Majority Network Operator under clause 11.3(b)(i)(B) will instead be nominated by agreement of Members who are Network Operators;”;

(iv) in clause 11.2(b)(v)—

A. delete the word “otherwise” and insert the words “if a Director is not nominated by an Appointing Member pursuant to clause 11.3(b)(A) or clause 11.3(b)(B),”;

B. delete the words “and members which, pursuant to clause 10.6(e)(iv), are not entitled to vote at a general meeting of the Company”;

C. after the word “fill”, insert the word “that”; and

D. delete the word “vacancies” and insert the word “vacancy”;

(v) in clause 11.3(b)(vi)—

A. after the words “share of at least 50% of the”, delete “relevant”;

B. delete clauses 11.3(b)(vi)(B) and (D);

C. in clause 11.3(b)(vi)(A), delete the word “WA” and insert the word “Majority” and after the semicolon, insert the word “and”; and

D. in clause 11.3(b)(vi)(C), delete the word “WA”, and delete the words “Western Australian”;

(vi) immediately following clause 11.3(d), insert the following clause

“(da) Any Member may nominate a person to be an Independent Director for the purposes of clause 11.3(b)(i)(C).”;

(vii) in clause 11.3(f)(i)—

A. delete the word “clause” and insert “clauses”;

B. after the reference to “11.3(b)(i)(A)”, insert “11.3(b)(i)(B) and 11.3(b)(i)(D)”;

C. after the word “nominee” insert the words “for each position”;

D. after the semicolon, insert the word “and”; and

E. delete the words “so that there is not more than four in total”;

(viii) in clause 11.3(f)(ii)—

A. delete the reference to clause 11.3(b)(i)(B) and insert a reference to clause 11.3(b)(i)(D); and

B. delete “; and” and insert “.”;

(ix) delete clause 11.3(f)(iii); and

- (x) delete clause 11.3(g) and replace it with the following clause—
“Separate resolutions must be put as to the election of each nominee. Each nominee must be elected as set out in this clause.
- (i) A person nominated to be an independent Director for the purposes of clause 11.3(b)(i)(C) will only be elected if none of the Members votes against his election as a Director.
 - (ii) A person nominated for the purposes of clauses 11.3(b)(i)(A), 11.3(b)(i)(B) or 11.3(b)(i)(D) will only be elected if he receives more than 50% of the votes cast in favour of his election as a Director. If the number of nominees receiving more than 50% of the votes cast exceeds the vacancies on the Board, then—
 - (A) the person or persons with the highest number of votes will be elected; and
 - (B) in the event that any two or more nominees have an equal number of votes, then the matter will be decided by lot.
 - (iii) If, by reason of nominees not receiving the votes required by clauses 11.3(g)(i) or 11.3(g)(ii), there remain vacancies on the Board, the Board must convene a further general meeting to be held not less than seven days after the meeting in question to consider resolutions for the election of persons to fill the vacancies. A previously unsuccessful nominee may be nominated again.
 - (iv) If an Appointing Member’s nominee is not re-elected following retirement by rotation, that Appointing Member has the right to appoint a replacement Director to the Board.”.
9. In clause 11.4—
- (i) in clause 11.4(g)—
 - A. at the start of the clause, delete “having been a Director identified in clause 11.3(a) as having been” and insert “was”; and
 - B. after “by an Appointing Member”, delete “or having been appointed for the purposes of clause 11.3(b)(iii) the Appointing Member’s” and insert “whose”;
 - (ii) in clause 11.4(i), delete all references to “WA” and insert in their place the word “Majority”;
 - (iii) in clause 11.4(k)—
 - A. delete all references to “WA Majority Retailer” and replace with “Majority Retailer”; and
 - B. after the semicolon insert the word “or”; and
 - (iv) delete clause 11.4(j), 11.4(l) and 11.4(m).
10. In clause 15, after “observer” delete “, from each Member Jurisdiction.”.
11. In clause 16.2, following “each member”, delete “, in respect of each Member Jurisdiction to which its membership relates.”.
12. In clause 23.3, after the words “5.00 pm” delete “Eastern” and insert “Western”, and after the words “Standard Time” delete the words “/Eastern Summer Standard Time”.
13. Delete clauses 28.1 and 28.2.
14. In clause 28.3, after the words “shall prevail” delete the words “in relation to Western Australia but not in relation to South Australia”.
15. Insert a new clause 29 as follows—
- “REVIEW OF THIS CONSTITUTION**
- In the event that the Company has 6 or more Members, not including Associate Members, for a continuous period of 3 months or more, the Board must, as soon as practicable after the end of the 3 month period following the admission of the sixth Member—
- (a) undertake a review of this Constitution;
 - (b) prepare a report to Members regarding the outcome of that review; and
 - (c) propose any changes to the Constitution resulting from the review to a general meeting of the Members, to be voted on in accordance with this Constitution.”.
16. Delete Execution Clauses.
17. Delete Schedule 1.
18. Delete Schedule 2.
19. Under the heading “Consent to the Terms of this Constitution”, delete those words and all of the words that follow until the end of the Constitution.
- These amendments to the Constitution of the REMCo are to come into force on 1 October 2009. Details regarding these amendments are available from REMCo.

LYNDON G. ROWE, Chairman,
Economic Regulation Authority.

FIRE AND EMERGENCY SERVICES

FE401*

BUSH FIRES ACT 1954 PROHIBITED BURNING PERIOD

Fire and Emergency Services Authority,
Perth.

Correspondence No. 00111

Pursuant to powers delegated and subdelegated under the *Bush Fires Act 1954*, I, Jo Harrison-Ward, FESA Chief Executive Officer, hereby declare under Section 17 of that Act that it shall be unlawful to set fire to the bush in the Local Government district of the Shire of Irwin during the period indicated in the schedule below. The declaration made under Section 17(1) of that Act, as published in the *Government Gazette* of 27 October 1995, is hereby revoked.

Schedule

Local Government	Zone	Prohibited Burning Period	Special Comm. Date
Shire of Irwin (Townsites of Dongara and Denison only)	2	01 December-28 February	...
Shire of Irwin (the remainder of the Shire after the exclusion of the Townsites of Dongara and Denison)	2	01 December-28 February	...

JO HARRISON-WARD, FESA Chief Executive Officer.

HEALTH

HE401*

MEDICAL PRACTITIONERS ACT 2008

MEDICAL (UNMET AREA OF NEED) DETERMINATION (NO. 4) 2009

Made by the Minister for Health pursuant to section 34(1) of the *Medical Practitioners Act 2008*.

Citation

1. This determination may be cited as the *Medical (Unmet Area of Need) Determination (No. 4) 2009*.

Commencement

2. This determination comes into operation on the day on which it is published in the *Government Gazette*.

Unmet area of need

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

Expiry of determination

4. This determination expires two years after its commencement.

Schedule

GENERAL SURGEONS AT ARMADALE HEALTH SERVICE.

Dated this 14th day of June 2009.

KIM HAMES MLA, Deputy Premier,
Minister for Health.

JUSTICE

JU401*

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—

Raymond George Colyer of Twenty Four Road, Karridale

RAY WARNES, Executive Director,
Court and Tribunal Services.

LOCAL GOVERNMENT

LG401*

DOG ACT 1976*Town of Bassendean*

AUTHORISED PERSONS

It is hereby notified for public information that the following persons have been appointed Registration Officers in accordance with the relevant acts hereunder effective immediately—

Dog Act 1976—Registration Officers only—

Donna Talbot
Kristy Fletcher
Jenni Parkin
Elysa Odams
Abigail Wilenski
Louise Alexander
Megan Shirt

The appointment of all other registration officers under the abovementioned Act is hereby cancelled.

Dated: 16 June 2009.

B. JARVIS, Chief Executive Officer.

MARINE/MARITIME

MX401*

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

RESTRICTED SPEED AREA—ALL VESSELS

2009 Avon Descent Time Trials

Department for Planning and Infrastructure,
Fremantle WA, 19 June 2009.

Acting pursuant to the powers conferred by Section 67 of the *Western Australian Marine Act 1982* the department by this notice revokes sub-paragraphs b(1)(i), d(1)(ii) d(1)(iii) and d(1)(iv) of the notice published in the *Government Gazette* MH401 on 25 October 1991 relating to restricted speed areas for all vessels on the Swan and Avon Rivers.

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

Providing however that such revocations shall only apply to official bona fide vessels associated with the 2009 Avon Descent, between the hours of 1130am to 2:30 pm on Sunday 19 July 2009 and will not apply to normal traffic.

After 2:30 pm on Sunday 19 July 2009 the speed limits will be re-established in accordance with the terms of the Gazettal notice MH401 issued on 25 October 1991 and Regulation 48 of the *Navigable Waters Regulations 1958*.

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

MX402*

WESTERN AUSTRALIAN MARINE ACT 1982
NAVIGABLE WATERS REGULATIONS 1958
RESTRICTED SPEED AREAS—ALL VESSELS
2009 Avon Descent Practice Times

Department for Planning and Infrastructure,
 Fremantle WA, 19 June 2009.

Acting pursuant to the powers conferred by Section 67 of the *Western Australian Marine Act 1982* the department by this notice revokes sub-paragraphs a(1) and b(1)(i) of the notice MH401 published in the *Government Gazette* on 25 October 1991 relating to the maximum speeds of four and five knots in the upper reaches of the Swan River.

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

Providing however that such revocations shall only apply from upstream of the Middle Swan Bridge to Bells Bridge and from Posselt's Ford to Northam Weir between the hours of 1200 and 1800 on Saturday 25 July 2009 and 0800 to 1200 on Sunday 26 July 2009 and is applicable only to those bona fide entrants of the 2009 Avon Descent participating in practice for that event and only during allocated practice times defined by the Northam Avon Descent Association in accordance with the events rules.

After 1200 hours on Sunday 26 July 2009 the speed limits will be re-established in accordance with the terms of the Gazettal notice issued on 25 October 1991 and Regulation 48 of the *Navigable Waters Regulations 1958*.

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

MINERALS AND PETROLEUM

MP401*

Commonwealth of Australia
OFFSHORE PETROLEUM AND GREENHOUSE GAS STORAGE ACT 2006
 (Section 275)

CANCELLATION OF EXPLORATION PERMIT WA-324-P

The cancellation of Exploration Permit WA-324-P, held by Bounty Oil & Gas NL, will take effect on the date this notice appears in the *Government Gazette*.

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

PLANNING AND INFRASTRUCTURE

PI401*

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

Town Planning Scheme No. 4—Amendment No. 34

Ref: 853/2/22/7 Pt 34

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the City of Armadale local planning scheme amendment on 12 May 2009 for the purpose of amending Schedule 2—"Additional Use—No. 19" as follows—

1. In the Additional Use column—
 - (i) Delete the words "Tourist complex" and insert "Mixed Uses";
 - (ii) Insert the words "key elements of" after the word "incorporating";
 - (iii) Insert the following uses—
 - Exhibition Centre;
 - Holiday Accommodation;

- Cottage Industry;
 - Market;
 - Medical Centre;
 - Motel; and
 - Showroom.
- (iv) Delete the words “Incidental tourism related uses”.
2. Delete Conditions 19.1 to 19.7 and insert the following new conditions in the Conditions and Requirements column—
- “19.1 In determining any planning application for development approval, the City shall have regard to the compatibility of the proposed uses with the existing adjacent land uses and where necessary special design consideration shall be required for the screening, separation or noise attenuation of adjacent properties.
- 19.2 The overall development may comprise either, a single building or multiple buildings with a common theme, and shall incorporate key elements of the Old Armadale Tearooms (Muckcross Hall) building as follows to the satisfaction of the City—
- (a) the use of the building, at least in part, is to recognise the building’s original function as a meeting place;
 - (b) recognition of the large open truss construction of the internal parts of the building;
 - (c) respect for the existing roofline and the original cladding style of the roof;
 - (d) materials for the existing walls may be replaced provided the appearance respects the original character; and
 - (e) the building could be extended out the back and side, provided the outline of the facade and roofline, as visible from the Albany Highway approach into Armadale, retains its character.
- 19.3 For non-residential uses, a plot ratio of 1.0 may be approved. In addition to this, where residential use is incorporated into the development, multiple dwellings of up to R40 will be considered by Council to ensure the retention of the character of the original built form on the site.
- 19.4 A Traffic Management Plan addressing site access and car parking both on and off site will need to be prepared and implemented to the satisfaction of Council as part of any development application for the redevelopment of the land.
- 19.5 Vehicular access to Crystal Court shall be limited to residential uses only and may require a traffic study prior to Council granting approval.
- 19.6 Car parking is to be provided in accordance with the scheme standards and may include reciprocal Parking, on-site parking, use and upgrading of the existing parking within the highway reserve and/or cash-in-lieu.
- 19.7 In preparing and/or assessing any planning application for development approval, the applicant and the City should consider the possible provision of access for vehicular and pedestrian movement and parking, together with drainage, where applicable over the adjacent Lot 100 (Pioneer Village Narrogin Inne premises) Albany Highway, in a manner satisfactory to the City to ensure safe, convenient and integrated traffic circulation. Such an arrangement may require agreement with the landowners of Lot 100 Albany Highway.
- 19.8 All permitted use classes listed for the base Residential zone shall be D (discretionary).
- 19.9 Notification in the form of a section 70A notification, pursuant to the Transfer of Land Act 1893 (as amended) is to be placed on the Certificate of Title on Lot 17 South Western Highway, Armadale advising prospective purchasers that the lot may be affected by noise from the Water Corporation pump station on the adjoining Lot 18 South Western Highway.
- ”

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

PI402*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
City of Armadale
Town Planning Scheme No. 4—Amendment No. 41

Ref: 853/2/22/7 Pt 41

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the City of Armadale local planning scheme amendment on 21 May 2009 for the purpose of—

1. Rezoning Lot 102 Waterwheel Road, Bedfordale from “Rural Living 4” to “Special Residential”.

2. Including Lot 102 Waterwheel Road, Bedforddale within the "Bushfire Protection Area" and "Development Envelope Areas" on Special Control Area Map No. 1".
3. Amending the Scheme maps accordingly.

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. 44

Ref: 853/7/2/4 Pt 44

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 Broome local planning scheme amendment on 12 May 2009 for the excising Lot 285 Saville Street. Broome from the 'R10' code area and including it in the "50" code area and modifying the Scheme map accordingly.

G. T. CAMPBELL, Shire President.
K. R. DONOHOE, Chief Executive Officer.

PI404*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT

Shire of Derby/West Kimberley

Town Planning Scheme No. 7—Amendment No. 1

Ref: 853/7/4/6 Pt 1

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 Derby/West Kimberley local planning scheme amendment on 28 April 2009 for the purpose of—

1. Rezoning a portion of Location 77, savannah Way Birdwood rise, Derby from Rural to Special Rural.
2. Amending the Scheme Map over a portion of Location 77 Savannah Way Birdwood rise, Derby from Rural to Special Rural.

E. M. ARCHER, Shire President.
S. BURGE, Chief Executive Officer.

PI405*

PLANNING AND DEVELOPMENT ACT 2005
METROPOLITAN REGION SCHEME MAJOR AMENDMENT 1074/33

Leighton Beach and Environs

Outcome of Amendment

It is hereby notified for public information that the Leighton Beach and Environs amendment to the Metropolitan Region Scheme has been submitted before both Houses of Parliament in accordance with the provisions of section 41 of the *Planning and Development Act 2005*.

This amendment, as depicted on Western Australian Planning Commission plan number 3.1688/4, is effective in the Metropolitan Region Scheme on and from 14 May 2009.

By virtue of section 126(1) of the Planning and Development Act 2005, the City of Fremantle and the Towns of Mosman Park and Cottesloe Local Planning Scheme is amended to give effect to the reservations included in MRS Amendment 1074/33. (This paragraph only required when the amendment delineates land as a reserve for any public purpose s126(1). Delete as required.)

TONY EVANS, Secretary,
Western Australian Planning Commission.

PI406*

ARMADALE REDEVELOPMENT ACT 2001

ARMADALE REDEVELOPMENT SCHEME 2004—AMENDMENT NO. 15

In accordance with section 35(3)(d) of the Act, it is hereby notified for public information that Amendment No. 15 to the Armadale Redevelopment Scheme 2004 has been approved by the Minister for Planning, Culture and the Arts under section 35(3)(a) of the Act.

The Armadale Redevelopment Authority advises that as a result of the Minister's approval, the amendment to the Redevelopment Scheme comes into operation on *Friday, 19 June, 2009*.

The Amendment encompasses a series of amendments to the Scheme text and maps.

In summary these amendments comprise the following—

- establish a new precinct for the redevelopment area—Precinct 4 (a)—Forrestdale (West) Special Development Precinct. The objective for this precinct is to defer most forms of subdivision and development pending finalisation of a Structure Plan for the area;
- undertake consequential changes to *Table 2; Precinct Table* to indicate land use determinations for the new precinct;
- include the new precinct within the following scheme maps—*Appendix 1: Scheme Maps, Appendix 3: Development Contribution Areas Maps* and *Appendix 4: Structure Plan Areas Maps*; and
- amend Part 8 of the Scheme to include a new clause which will allow the ARA to accept 'prior payments' from landowners to fund the Structure Planning process.

A copy of Amendment No. 15 is available for inspection at the offices of the Armadale Redevelopment Authority at Unit 5, 210-220 Jull Street, Armadale, between the hours of 8.30 am and 5.00 pm Monday to Friday. The document can also be viewed at the Authority's website at <http://www.ara.wa.gov.au/>

JOHN ELLIS, Executive Director,
Armadale Redevelopment Authority.

PI407*

ARMADALE REDEVELOPMENT ACT 2001

ARMADALE REDEVELOPMENT SCHEME 2004—AMENDMENT NO. 19

Notice is hereby given that, in accordance with the consent of the Minister for Planning, Culture and the Arts to its public notification, the proposed Armadale Redevelopment Scheme 2004—Amendment No. 19 has been prepared by the Armadale Redevelopment Authority.

The Amendment seeks to include a list of 'Redevelopment Works' for the City Centre West of Railway Precinct to support the proposed revised structure plan for the area.

A document setting out the Amendment is available for inspection or purchase at the offices of the Armadale Redevelopment Authority, 210-220 Jull Street Mall, Armadale, between the hours of 8.30 am and 5.00 pm, Monday to Friday, from 19 June 2009 until 19 August 2009. The document can also be viewed at the Authority's website at www.ara.wa.gov.au.

Written submissions on the Scheme should be addressed to—

Executive Director
Armadale Redevelopment Authority
PO Box 816
Armadale WA 6992

Submissions may also be hand delivered to the Authority's office and the closing date for all submissions is 5.00pm, 19 August, 2009.

JOHN ELLIS, Executive Director,
Armadale Redevelopment Authority.

PREMIER AND CABINET

PC401*

APPOINTMENT OF DEPUTY OF THE GOVERNOR

It is hereby notified for public information that the Governor, under clause XVI of the *Letters Patent relating to the Office of Governor of the State of Western Australia*, dated 14 February 1986, has appointed the Lieutenant-Governor the Honourable David Kingsley Malcolm AC QC, to be deputy of the Governor and in that capacity to perform and exercise all the powers and functions of the Governor for the periods 6 to 9 July 2009 and 20 to 24 July 2009, all dates inclusive.

R. KENNEDY, Clerk of the Executive Council,
Department of the Premier and Cabinet.

PC402*

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 N. F. Moore MLC to act temporarily in the office of Minister for Transport; Disability Services in the absence of the Hon S. M. O'Brien MLC for the period 2 to 21 July 2009 (both dates inclusive).

PETER CONRAN, Director General,
 Department of the Premier and Cabinet.

RACING, GAMING AND LIQUOR

RG401*

LIQUOR CONTROL ACT 1988
LIQUOR APPLICATIONS

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

Any person wishing to obtain more details about any application, or about the objection process, should contact the Department of Racing, Gaming 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			
12901	Cockburn Football Club	Application for the grant of a club restricted licence in respect of premises situated in Hamilton Hill and known as Cockburn Football Club	5/07/2009
12911	Hohnen Nominees Pty Ltd	Application for the grant of a Producers licence in respect of premises situated in Margaret River and known as McHenry's Farm Shop	28/07/2009
APPLICATION FOR EXTENDED TRADING PERMITS—ONGOING EXTENDED HOURS			
34060	Lagrange Investments Pty Ltd	Application for the grant of an extended trading permit—ongoing extended hours in respect of premises situated in Denmark and known as Denmark Liquor Store	16/07/2009
APPLICATION TO ADD, VARY OR CANCEL A CONDITION OF LICENCE			
291297	Ian James Duncan & Jennifer Gaye Duncan	Application to add, vary or cancel a condition of the Liquor Store licence in respect of premises situated in Boyup Brook and known as Chudacud	1/07/2009

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

B. A. SARGEANT, Director of Liquor Licensing.

17 June 2009.

SALARIES AND ALLOWANCES TRIBUNAL

SX401*

SALARIES AND ALLOWANCES ACT 1975
DETERMINATION VARIATION

PREAMBLE

The Salaries and Allowances Tribunal has been requested to make determinations in respect of the positions of Deputy Director General Development and Deputy Director General State Initiatives, Department of State Development. These positions were included in the Special Division of the Public Service by His Excellency the Governor in Executive Council on 5 May 2009.

DETERMINATION

The determination of the Salaries and Allowances Tribunal made on 3 April 2009 under sections 6(1)(c), (d) and (e) of the *Salaries and Allowances Act 1975*, as amended from time to time, is hereby varied by a further determination set out below.

Amend and include in Part 1 of the First Schedule the following—

Agency	Office	Classification
Department of State Development	Deputy Director General Development	Group 2 Minimum
Department of State Development	Deputy Director General State Initiatives	Group 2 Maximum

Dated at Perth this 9th day of June 2009.

W. S. COLEMAN AM, Chairman.
C. A. BROADBENT, Member.
Salaries and Allowances Tribunal.

WORKCOVER

WC401*

WORKERS' COMPENSATION AND INJURY MANAGEMENT ACT 1981

PRESCRIBED AMOUNT

In accordance with section 315 of the *Workers' Compensation and Injury Management Act 1981*, I hereby publish for public information the following amounts for the financial year beginning 1 July 2009—

- (a) Prescribed amount is \$178,047.00;
- (b) Amount A for the purposes of section 93F and 93K is \$373,902.00; and
- (c) Amount C for the purposes of Schedule 1, clause 11 is \$2,026.10.

The full schedule of payments titled "*Variations in Prescribed Amount and Other Workers' Compensation Payments*" is available from the WorkCover WA website at www.workcover.wa.gov.au or by contacting the WorkCover WA Advisory Service on 1300 794 744.

HON TROY BUSWELL MLA, Minister for Commerce.

DECEASED ESTATES

ZX401

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

Norma Helen Jamieson, late of Shawford Lodge, 4 Shawford Place, Innaloo, Western Australia, deceased.

Creditors and other persons having claims (to which section 63 of the *Trustees Act 1962*, relates) in respect of the estate of the deceased who died on 27 June 2008, are required by the Executrix, Pauline Stephanie Costantino of Costantino & Co, PO Box 1304, West Perth, Western Australia 6872 to send particulars of their claims to her by 19 July 2009 after which date the Executrix may distribute the assets, having regard only to the claims of which she has notice.

ZX402**TRUSTEES ACT 1962
DECEASED ESTATES**

Notice to Creditors and Claimants

In the estate of Mercy Davies, late of Regis Park Lodge, 118-120 Monash Avenue, Nedlands in the State of Western Australia, Retired Fashion Buyer, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect to the estate of the deceased who died on 24 March 2009 are required by the personal representative of the deceased's estate being Mervyn Rothstein of care of M. Rothstein & Co., Lawyers, Level 2, 40 St George's Terrace, Perth, 6000 to send particulars of their claims to him by Friday 31 July 2009, after which date the personal representative may convey or distribute the assets having regard only to the claims of which he then has notice.

ZX403***TRUSTEES ACT 1962
DECEASED ESTATES**

Notice to Creditors and Claimants

Creditors and other persons having claims (to which Section 63 of the Trustees Act, relates) in respect of the Estates of the undermentioned deceased persons are required to send particulars of their claims to me on or before 19 July 2009 after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Bennetts, Noela, late of c/- Onslow Gardens Care Facility, 39 Hamersley Road, Subiaco, formerly of 15 Balfour Street, Huntingdale, died 28.05.2009 (DE19951925EM23)

Clarkson, Albert James, late of 7 Wattle Crescent, Wundowie, died 11.05.2009 (DE19953025EM37)

Collins, Leonard Malcolm George, late of Kensington Park Nursing Home, 62 Gwenyfred Road, South Perth, died 21.03.2009 (DE33039240EM17)

Duggan, Terence James, late of 213 Wittenoom Street, Boulder, died 1.05.2009 (DE19952804EM313)

Eemy, Aggie, late of Numbala Nunga Nursing Home, Derby, died 14.05.2009 (DE30306107EM26)

Foord, Mary Laura Delander, late of 20/158 Bibra Drive, Bibra Lake, formerly of 69 Henley Street, Como, died 22.05.2009 (DE19721506EM38)

Gilmour, Kenneth Edward Ray, late of Concorde Nursing Home, 25 Anstey Street, South Perth, died 21.02.2009 (DE19530601EM27)

Harper, June, late of 42 Margaret Street, Ashfield, died 7.05.2009 (DE19713473EM27)

Hayes, Norman, late of St Andrews Care Facility, 20 Burwood Road, Balcatta, died 31.05.2009 (DE33059454EM38)

Khan, Tyrone Gordon, also known as Tyron Gordon Khan, late of Clarence Estate, 55 Hardie Road, Albany, died 25.03.2009 (DE30295339EM26)

Kirkwood, Gwenda Margaret, late of c/McDougall Park Aged Care, 18 Ley Street, Como, died 7.04.2009 (DE19701336EM23)

Little, Margaret Ethel, late of 64 Holden Road, Roleystone, died 18.04.2009 (DE33026256EM25)

Mettam, Gary John Francis, late of Oxford Gardens, 30 Regents Park Road, Joondalup, died 29.05.2009 (DE19915101EM22)

Pozzi, Angelina, late of 77 Swan Street, Tuart Hill, died 17.05.2009 (DE19760238EM13)

Roberts, Marion Joy, late of care of Brightwater Care Group, 2 Walter Road, Inglewood, died 18.04.2009 (DE19651639EM37)

Seaman, Margaret Joyce, late of 4/7 Alder Court, Ballajura, died 23.05.2009 (DE19971775EM24)

Sweetman, Amy Clarice, late of Carrington Aged Care, Invermey Road, Hamilton Hill, formerly of 4 Gordon Street, East Fremantle, died 19.05.2009 (DE19861906EM213)

Vick, Laurel, late of Unit 4/20 Colleran Way, Booragoon, died 19.05.2009 (DE19831908EM35)

Wilkie, William, late of Parkview Aged Care, 6 Drummond Street, Redcliffe, died 25.12.2008 (DE33017342EM213)

Williams, Mary Isabel, late of Osboine Aged Care, 39 Newton Street, Bayswater, died 9.12.2008 (DE19691309EM36)

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

ZX404*

PUBLIC TRUSTEE ACT 1941
ADMINISTERING OF ESTATES

Notice is hereby given that pursuant to Section 14 of the *Public Trustee Act 1941* and amendments the Public Trustee has elected to administer the estates of the undermentioned deceased persons.

Dated at Perth the 19th day of June 2009.

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

Name of Deceased	Address	Date of Death	Date Election Filed
Gladys Mabel Hutchins DE19860635EM36	17/1 Jardee Close, Dianella	26 February 2009	11 June 2009
Agnes Kyle Stephens DE19765064EM36	7/69 Birdwood Avenue, Como	8 April 2009	11 June 2009

ZX405

TRUSTEES ACT 1962
DECEASED ESTATES

Notice to Creditors and Claimants

Ronald James Lee, late of 31 Rycraft Drive, Albany, Western Australia, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the estate of the deceased, who died on 3 March 2009, are required by the trustee of the late Ronald James Lee of c/- Haynes Robinson Solicitors of PO Box 485 Albany, Western Australia 6331 to send particulars of their claims to them within one (1) month from the date of publication of this notice, after which date the trustee may convey or distribute the assets having regard only to the claims of which it then has notice.

Dated this 15th day of June 2009.

HAYNES ROBINSON.

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