



**WESTERN  
AUSTRALIAN  
GOVERNMENT  
Gazette**

ISSN 1448-949X

5873



**PERTH, FRIDAY, 9 DECEMBER 2005 No. 227**

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

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

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

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

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

Delivery address:

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

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

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



## GOVERNMENT GAZETTE

### PUBLISHING DETAILS FOR CHRISTMAS 2005 AND NEW YEAR HOLIDAY PERIOD 2006

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*NOTE: Due to Tuesday 27th December being a public holiday there will not be a gazette published on that day*

#### **Publishing Dates and times**

Friday 30 December 2005 at 3.30 pm

Tuesday 3 January 2006 at 3.30 pm

#### **Closing Dates and Times for copy**

Wednesday 28 December 2005 at 12 noon

Friday 30 December 2005 at 12 noon



# — PART 1 —

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## CONSUMER AND EMPLOYMENT PROTECTION

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CE301\*

Petroleum Products Pricing Act 1983

### Petroleum Products Pricing Amendment Regulations 2005

Made by the Lieutenant-Governor and Administrator in Executive Council.

**1. Citation**

These regulations are the *Petroleum Products Pricing Amendment Regulations 2005*.

**2. Commencement**

These regulations come into operation on 1 January 2006.

**3. The regulations amended**

The amendments in these regulations are to the *Petroleum Products Pricing Regulations 2000*\*.

[\* Reprinted as at 19 April 2002.

*For amendments to 11 November 2005 see Western Australian Legislation Information Tables for 2004, Table 4, p. 286.]*

**4. Regulation 6 amended**

Regulation 6(2)(b) is deleted and the following paragraph is inserted instead —

“

(b) whenever more than 3 kinds of motor fuel (the “**kinds offered**”) are currently offered for standard retail sale at the place, the standard retail prices for 3 of the kinds offered including —

(i) if one of them is LPG, the standard retail price for LPG;

- (ii) if only one of them is regular unleaded petrol, the standard retail price for that kind of motor fuel; and
- (iii) if 2 or more of them are regular unleaded petrol, the standard retail price for each of 2 of those kinds of motor fuel and for one of the other kinds offered that is not regular unleaded petrol.

”.

By Command of the Lieutenant-Governor and Administrator,

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

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## CONSERVATION

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CO301\*

Conservation and Land Management Act 1984

### Public Firewood Areas Order (No. 3) 2005

Made by the Executive Director under the *Forest Management Regulations 1993* regulation 98.

**1. Citation**

This order is the *Public Firewood Areas Order (No. 3) 2005*.

**2. CALMAP**

- (1) The reference in Schedule 1 to a CALMAP is a reference to a map produced by the Department of Conservation and Land Management.
- (2) Copies of the CALMAP referred to in Schedule 1 are available for inspection by the public during normal office hours at the Department of Conservation and Land Management's Narrogin District Office, Hough Street, Narrogin WA 6312.

**3. Public firewood area**

- (1) The area of State forest named in column 1 and described in column 3 of Schedule 1 is set aside for the purposes of the collection of firewood by members of the public.

- (2) The area set aside under subclause (1) is delineated on the CALMAP referred to in column 2 of Schedule 1.

**4. Payment for removal of firewood**

The area set aside under clause 3(1) is designated as an area to which the *Forest Management Regulations 1993* regulation 100 applies.

**Schedule 1 — Public firewood area**

[cl. 3]

Name of area	Name of CALMAP	Description
Highbury Section A	Mallet Classification Plantation Map 1:25000 National Map Reference 2331-IV-NE	That part of State Forest 52 bounded by a notional line commencing at the southeast corner of private location 1403 on Cholmey Road in the Narrogin Shire (the “ <b>starting point</b> ”) and extending — for 400 m on 0°; then for 90 m on 270°; then for 990 m on 0°; then for 1 600 m on 270°; then for 820 m on 0°; then for 1 100 m on 270°; then for 800 m on 0°; then for 1 040 m on 260°; then for 820 m on 0°; then for 1 600 m on 90°; then for 360 m on 180°; then for 200 m on 270°; then for 400 m on 180°; then for 2 400 m on 90°; then for 460 m on 180°; then for 700 m on 270°; then for 800 m on 180°; then for 700 m on 90°; then for 1 540 m on 180°; then for 240 m on 235°; then for 180 m on 270° to the starting point.

Date: 30 November 2005.

K. J. McNAMARA, Executive Director.

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**ENERGY**

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EN301\*

Electricity Industry Act 2004

**Electricity Industry Exemption Order 2005**

Made by the Lieutenant-Governor and Administrator in Executive Council under section 8 of the Act.

**1. Citation**

This order is the *Electricity Industry Exemption Order 2005*.

**2. Commencement**

This order comes into operation on 1 January 2006.

**3. Exemption for generating works under 30 MW**

(1) In this clause —

“**connection point**” means a point at which the generating works are connected to a transmission system or a distribution system;

“**generation capacity**”, in relation to generating works under construction, means the total generation capacity in megawatts that the generating works will have after construction is completed.

(2) A person is exempt from the *Electricity Industry Act 2004* section 7(1) if the generation capacity of the generating works concerned is less than 30 MW at each connection point.

(3) The exemption provided for in subclause (2) is subject to the condition that, if the generating works are connected to a transmission system or distribution system of a relevant corporation that forms part of the South West interconnected system, the metering of the supply of electricity from those works must be undertaken in accordance with the procedures and arrangements set out in the *Electricity Industry Metering Code 2005*.

**4. Exemptions for on-supply to commercial premises**

(1) In this clause —

“**commercial premises**” means premises or any part of premises used, or intended to be used, for commercial or industrial purposes;

“**scheme**” has the meaning given to that term in the *Strata Titles Act 1985* section 3(1);

“**strata company**” has the meaning given to that term in the *Strata Titles Act 1985* section 3(1).

- (2) A person (the “**supplier**”) is exempt from the *Electricity Industry Act 2004* section 7(2) if the transmission system concerned is used or to be used solely for the transportation of electricity for consumption on commercial premises under the control or management of the supplier.
- (3) A person (the “**supplier**”) is exempt from the *Electricity Industry Act 2004* section 7(3) if the distribution system concerned is used or to be used solely for the transportation of electricity for consumption on commercial premises under the control or management of the supplier.
- (4) A person (the “**supplier**”) is exempt from the *Electricity Industry Act 2004* section 7(4) if the electricity is sold for consumption on commercial premises under the control or management of the supplier.
- (5) For the purposes of this clause commercial premises are under the control or management of a supplier if the supplier is —
  - (a) the owner or occupier of the premises; or
  - (b) in the case of premises on land to which a scheme relates, the strata company for the scheme.
- (6) The exemptions provided for in this clause do not apply to the Rottneest Island Authority established under the *Rottneest Island Authority Act 1987*.

## 5. Exemptions for on-supply to residential premises

- (1) In this clause —

“**administering body**” has the meaning given to that term in the *Retirement Villages Act 1992* section 3(1);

“**residential premises**” means premises or any part of premises used, or intended to be used, as a person’s principal place of residence but does not include a site as defined in the *Caravan Parks and Camping Grounds Act 1995* section 5(1);

“**retirement village**” has the meaning given to that term in the *Retirement Villages Act 1992* section 3(1);

“**scheme**” has the meaning given to that term in the *Strata Titles Act 1985* section 3(1);

“**strata company**” has the meaning given to that term in the *Strata Titles Act 1985* section 3(1).
- (2) A person (the “**supplier**”) is exempt from the *Electricity Industry Act 2004* section 7(3) if the distribution system concerned is used or to be used solely for the transportation of

electricity for consumption on residential premises under the control or management of the supplier.

- (3) A person (the “**supplier**”) is exempt from the *Electricity Industry Act 2004* section 7(4) if the electricity is sold for consumption on residential premises under the control or management of the supplier.
- (4) For the purposes of this clause residential premises are under the control or management of a supplier if the supplier is —
  - (a) the owner of the premises;
  - (b) in the case of premises on land to which a scheme relates, the strata company for the scheme; or
  - (c) in the case of premises in a retirement village, the administering body of the retirement village.
- (5) The exemptions provided for in this clause are subject to the conditions set out in clause 6(4) to (9).
- (6) The exemptions provided for in this clause do not apply to the Rottneest Island Authority established under the *Rottneest Island Authority Act 1987*.

## 6. **Conditions applying to exemptions under clause 5**

- (1) In this clause —
  - “**electricity reticulation system**” means any apparatus, plant or equipment that is used for, or in connection with, the transportation of electricity to the relevant premises;
  - “**relevant premises**” means premises to which an exemption provided for in clause 5 applies;
  - “**resident**”, in relation to the relevant premises, means a person who uses those premises as his or her permanent place of residence.
- (2) For the purposes of this clause, electricity services are services for, or in connection with, the supply of electricity.
- (3) Without limiting subclause (2), electricity services include —
  - (a) the provision and maintenance of an electricity reticulation system;
  - (b) the connection of the relevant premises to an electricity reticulation system;
  - (c) the provision, maintenance and reading of a meter to measure and record the quantity of electricity supplied to the relevant premises;
  - (d) the preparation and issue of accounts in relation to the supply of electricity to the relevant premises; and
  - (e) anything incidental to or associated with a matter referred to in paragraph (a), (b), (c) or (d).



- (4) Unless subclause (5) applies, any charge imposed by the supplier for electricity supplied to the relevant premises must not exceed 13.94 cents per kilowatt hour.
- (5) If electricity supplied to the relevant premises is generated using generating works that are owned or operated by the supplier, any charge imposed by the supplier for that electricity must not exceed the amount necessary for the supplier to recover the costs of generation.
- (6) Any fees or charges imposed by the supplier for the provision of electricity services in relation to the relevant premises must not, in total, exceed 25.57 cents per day.
- (7) The supplier must make available to each resident of the relevant premises information that clearly sets out —
  - (a) the quantity of electricity supplied to the resident; and
  - (b) the fees and charges payable by the resident —
    - (i) for electricity supplied; and
    - (ii) for the provision of electricity services.
- (8) Information referred to in subclause (7) must be made available in a manner that is easily accessible.
- (9) If information referred to in subclause (7) is not included in an account issued to a resident of the relevant premises, the supplier must inform the resident how to gain access to the information.

## 7. Exemptions for supply to Aboriginal communities

- (1) In this clause —

“**Aboriginal community**” has the meaning given to that term in the *Aboriginal Communities Act 1979* section 3;

“**Aboriginal community premises**” means any premises that are —

  - (a) owned, occupied or leased by an Aboriginal community or members of an Aboriginal community; or
  - (b) used solely or principally for the purposes of an Aboriginal community.
- (2) A person is exempt from the *Electricity Industry Act 2004* section 7(3) if the distribution system concerned is used or to be used solely for the transportation of electricity for consumption on Aboriginal community premises.
- (3) A person is exempt from the *Electricity Industry Act 2004* section 7(4) if the electricity is sold for consumption on Aboriginal community premises.
- (4) The exemptions provided for in this clause do not apply to Western Power Corporation.

**8. Exemptions for operations under Pilbara Energy Project Agreement**

- (1) In this clause —  
“**PEP Agreement**” has the meaning given to “the Agreement” in the *Pilbara Energy Project Agreement Act 1994* section 3.
- (2) A person is exempt from the *Electricity Industry Act 2004* section 7(1) if the generating works concerned are constructed or operated pursuant to the PEP Agreement.
- (3) A person is exempt from the *Electricity Industry Act 2004* section 7(2) if the transmission system concerned is constructed or operated pursuant to the PEP Agreement.
- (4) A person is exempt from the *Electricity Industry Act 2004* section 7(3) if the distribution system concerned is constructed or operated pursuant to the PEP Agreement.
- (5) A person is exempt from the *Electricity Industry Act 2004* section 7(4) if —
- (a) the electricity is sold to customers pursuant to the PEP Agreement; and
  - (b) each of those customers consumes more than 160 MWh of electricity per annum.

**9. Exemption for sale to certain customers under Iron Ore Beneficiation (BHP) Agreement**

A person is exempt from the *Electricity Industry Act 2004* section 7(4) if —

- (a) the electricity is sold to customers pursuant to the Agreement as defined in the *Iron Ore Beneficiation (BHP) Agreement Act 1996* section 3; and
- (b) each of those customers consumes more than 160 MWh of electricity per annum.

**10. Exemptions for operations under various government agreements**

- (1) In this clause —  
“**relevant agreement**” means —
- (a) the Agreement as defined in the *Iron Ore (Hamersley Range) Agreement Act 1963* section 2;
  - (b) the Agreement as defined in the *Iron Ore (Mount Newman) Agreement Act 1964* section 2; and
  - (c) the Agreement as defined in the *Iron Ore (Robe River) Agreement Act 1964* section 2.
- (2) A person is exempt from the *Electricity Industry Act 2004* section 7(1) if the generating works concerned are constructed or operated pursuant to a relevant agreement.

- (3) A person is exempt from the *Electricity Industry Act 2004* section 7(2) if the transmission system concerned is constructed or operated pursuant to a relevant agreement.
- (4) A person is exempt from the *Electricity Industry Act 2004* section 7(3) if the distribution system concerned is constructed or operated pursuant to a relevant agreement.
- (5) A person is exempt from the *Electricity Industry Act 2004* section 7(4) if the electricity is sold to customers pursuant to a relevant agreement.

## 11. Conditions applying to exemptions under clause 10

- (1) In this clause —  
“**code provision**” means a provision of the code of conduct as defined in the *Electricity Industry Act 2004* section 78 other than —
  - (a) Parts 2, 9, 11, 13 and 14; and
  - (b) clauses 4.4(1)(t) and (bb), 5.2(1)(c), 6.10, 7.1(1)(c)(ii), 10.1(1), 10.2(4), 10.4(b) and (c), 10.7(4), 10.8(2), 10.10(2), (4), (5) and (6), 12.1(2)(b), (3) and (4), and 12.5(1)(b) and (c),  
of that code.
- (2) The exemption provided for in clause 10(4) is subject to the following conditions —
  - (a) the person must comply with any obligation that the *Electricity Industry (Obligation to Connect) Regulations 2005* regulations 4 and 7(1) impose on a distributor as if the person were a distributor for the purposes of those regulations;
  - (b) the person must comply with any obligation that a code provision imposes on a distributor as if the person were a distributor for the purposes of that provision.
- (3) The exemption provided for in clause 10(5) is subject to the condition that the person must comply with any obligation that a code provision imposes on a retailer as if the person were a retailer for the purposes of that provision.

## 12. Exemptions for operations in DBNGP corridor

- (1) In this clause —  
“**DBNGP corridor**” has the meaning given to that term in the *Dampier to Bunbury Pipeline Act 1997* section 27(1);  
“**DBNGP Transmission**” means DBNGP (WA) Transmission Pty Ltd.
- (2) DBNGP Transmission is exempt from the *Electricity Industry Act 2004* section 7(3) if the distribution system concerned is located or to be located in the DBNGP corridor.

- (3) DBNGP Transmission is exempt from the *Electricity Industry Act 2004* section 7(4) if the electricity is sold for consumption in the DBNGP corridor.

By Command of the Lieutenant-Governor and Administrator,

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

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## LOCAL GOVERNMENT

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LG301\*

Dog Act 1976

### **Dog (Restricted Breeds) Amendment Regulations (No. 2) 2005**

Made by the Lieutenant-Governor and Administrator in Executive Council.

**1. Citation**

These regulations are the *Dog (Restricted Breeds) Amendment Regulations (No. 2) 2005*.

**2. Commencement**

These regulations come into operation on the day that is 3 months after the day on which they are published in the *Gazette*.

**3. The regulations amended**

The amendments in these regulations are to the *Dog (Restricted Breeds) Regulations (No. 2) 2002*\*.

[\* *Published in Gazette 9 August 2002, p. 3883-91.*  
*For amendments to 30 November 2005 see Western Australian Legislation Information Tables for 2004, Table 4, p. 85, and Gazette 1 April 2005.*]

**4. Regulation 7 replaced**

Regulation 7 is repealed and the following regulation is inserted instead —

“

**7. Restricted breed dogs, control of**

- (1) If, at a time when a restricted breed dog is not confined in accordance with regulation 6, the dog is not muzzled in such a manner that prevents it from biting a person or another animal, a person liable for the control of the dog contravenes these regulations.
- (2) If, at a time when a restricted breed dog is not confined in accordance with regulation 6, the dog is not on a leash or chain held by a person who is physically able to control the dog in all circumstances, a person liable for the control of the dog contravenes these regulations.
- (3) If, at a time when a restricted breed dog is not confined in accordance with regulation 6, a person under the age of 18 years is in control of the dog, that person and any other person liable for the control of the dog contravenes these regulations.

”

**5. Regulation 8A inserted**

After regulation 8 the following regulation is inserted —

“

**8A. Restricted breed dogs to be sterilised**

- (1) If requested by an authorised person, the owner of a restricted breed dog must either —
  - (a) immediately satisfy the authorised person that the dog has an ear tattoo conforming to that provided for in the Third Schedule to the *Dog Regulations 1976*;
  - (b) satisfy the authorised person, within 24 hours, that the dog is under the age of 6 months; or
  - (c) produce to the authorised person, within 24 hours, a certificate signed by a registered veterinary surgeon stating that the dog —
    - (i) was sterilised or sterile before the request by the authorised person was made;
    - (ii) has a physical condition that is likely to cause the dog to die if it is sterilised; or
    - (iii) is receiving a course of treatment, other than treatment to maintain or increase fertility, from the veterinary surgeon, and the effectiveness of treatment will

be reduced if the dog is sterilised during the course of treatment.

- (2) A certificate as described in subregulation (1)(c)(ii) or (iii) —
  - (a) must state the period for which the physical condition or the course of treatment, as the case may be, is expected to last; and
  - (b) ceases to have effect for the purposes of this regulation at the end of the period.
- (3) The owner of a restricted breed dog who does not obey a request under subregulation (1) contravenes these regulations.

”.

**6. Regulation 13 amended**

Regulation 13(1) is amended by deleting “6 or 7” and inserting instead —

“ 6, 7 or 8A ”.

**7. Regulation 14 repealed**

Regulation 14 is repealed.

By Command of the Lieutenant-Governor and Administrator,

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

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**POLICE**

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PO301\*

Community Protection (Offender Reporting) Act 2004

**Community Protection (Offender Reporting)  
Amendment Regulations 2005**

Made by the Lieutenant-Governor and Administrator in Executive Council.

**1. Citation**

These regulations are the *Community Protection (Offender Reporting) Amendment Regulations 2005*.

**2. The regulations amended**

The amendments in these regulations are to the *Community Protection (Offender Reporting) Regulations 2004*\*.

[\* *Published in Gazette 31 December 2004, p. 7025-39.*]

**3. Regulation 11 amended**

- (1) Regulation 11(1) is amended before paragraph (a) by inserting the following —

“

(aa) an offence under the Code Act section 271.4;

(ab) an offence under the Code Act section 271.7;

”.

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

“

(1a) Subregulation (1)(aa) and (ab) have effect as if the Code Act sections 271.4(1)(c) and (2)(c) and 271.7(1)(c) were amended by deleting “or will be otherwise exploited” in each place where it occurs.

”.

- (3) Regulation 11(2) is amended by deleting “subregulation (1)” and inserting instead —

“ this regulation ”.

By Command of the Lieutenant-Governor and Administrator,

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

PO302\*

Community Protection (Offender Reporting) Act 2004

## **Community Protection (Offender Reporting) Amendment Regulations (No. 2) 2005**

Made by the Lieutenant-Governor and Administrator in Executive Council.

**1. Citation**

These regulations are the *Community Protection (Offender Reporting) Amendment Regulations (No. 2) 2005*.

## 2. The regulations amended

The amendments in these regulations are to the *Community Protection (Offender Reporting) Regulations 2004\**.

[\* *Published in Gazette 31 December 2004, p. 7025-39.*]

## 3. Regulation 22 and Schedule 1 inserted

After regulation 21 the following regulation and Schedule are inserted —

“

### 22. Forms

The forms set out in Schedule 1 are prescribed in relation to the matters specified in those forms.

## Schedule 1 — Forms

[r. 22]

### 1. Summons: Application for order

<i>Community Protection (Offender Reporting) Act 2004</i>		<input type="checkbox"/> Children's Court
<b>Summons</b>		<input type="checkbox"/> District Court
<b>Application for order</b>		Location
		Number
<b>Respondent</b>	Name	Date of birth ___/___/___
	Address	
	Postcode	
	Phone no.	
<b>Order sought</b>	The Commissioner of Police has applied to the court for the following order to be made in respect of you —	
	<input type="checkbox"/> <b>Past offender reporting order</b> (s. 19 of Act)	
	<input type="checkbox"/> <b>Child protection prohibition order</b> (s. 90 of Act)	
	<input type="checkbox"/> <b>Interim protection order</b> (s. 92 of Act)	
<b>Hearing</b>	<b>You must attend the hearing</b> at the day, time and place set out below. If you do not attend, the application may be heard in your absence.	
	Place	
	Date ___/___/20___	Time ___ a.m./p.m.
<b>Issue of summons</b>	_____	
	<i>[Signature of Registrar]</i>	Date ___/___/20___
<b>For more information</b>	For more information about this matter contact:	
	Name	
	Position	
	Phone no.	Ref no.



Service certificate	
<b>Person serving summons</b>	Name _____
	Address _____ Postcode _____
<b>Service</b>	Method <input type="checkbox"/> Handed to respondent in person <input type="checkbox"/> Posted to respondent's last known address <input type="checkbox"/> Left at respondent's last known address
	Place [if applicable] _____
	Date ____/____/20____ Time ____ a.m./p.m.
<b>Certificate</b>	I certify that I served this summons on the respondent in the manner described above.
	_____ [Signature] Date ____/____/20____

## 2. Summons: Further hearing after interim order

<i>Community Protection (Offender Reporting) Act 2004</i>		<input type="checkbox"/> Children's Court
<b>Summons</b> <b>Further hearing after interim order</b>		<input type="checkbox"/> District Court
		Location _____
		Number _____
<b>Respondent</b>	Name _____ Date of birth ____/____/____	
	Address _____	
	Postcode _____	
	Phone no. _____	
<b>Order sought</b>	The Commissioner of Police has applied to the court for a child protection prohibition order to be made in respect of you. An interim protection order was made on ____/____/20____. <b>A further hearing will now be held at which the court will decide whether to make a child protection prohibition order.</b>	
<b>Hearing</b>	<b>You must attend the hearing</b> at the day, time and place set out below. If you do not attend, the application may be heard in your absence.	
	Place _____	
	Date ____/____/20____ Time ____ a.m./p.m.	
<b>Issue of summons</b>	_____ [Signature of Registrar] Date ____/____/20____	
<b>For more information</b>	For more information about this matter contact:	
	Name _____	
	Position _____	
	Phone no. _____	Ref no. _____

Service certificate	
Person serving summons	Name _____
	Address _____ Postcode _____
Service	Method <input type="checkbox"/> Handed to respondent in person <input type="checkbox"/> Posted to respondent's last known address <input type="checkbox"/> Left at respondent's last known address
	Place <i>[if applicable]</i> _____
	Date ____/____/20____ Time ____ a.m./p.m.
Certificate	I certify that I served this summons on the respondent in the manner described above.
	_____ <i>[Signature]</i> Date ____/____/20____

**3. Summons: Application to vary or revoke child protection prohibition order**

<i>Community Protection (Offender Reporting) Act 2004</i>		<input type="checkbox"/> Children's Court <input type="checkbox"/> District Court
<b>Summons</b> <b>Application to vary or revoke child protection prohibition order</b>		Location _____
		Number _____
Order	Person subject to order _____	
	Date made ____/____/20____	
	Expiry date ____/____/20____	
Applicant	<input type="checkbox"/> Commissioner of Police <input type="checkbox"/> Person subject to order Leave to apply granted ____/____/20____ Address _____ Postcode _____	
	Application <input type="checkbox"/> To revoke order <input type="checkbox"/> To vary order to <i>[details of variation sought]</i> _____ _____	
Respondent	<input type="checkbox"/> Person subject to order <input type="checkbox"/> Commissioner of Police	
	Address _____ Postcode _____	
	Phone no. _____	
Hearing	<b>You must attend the hearing</b> at the day, time and place set out below. If you do not attend, the application may be heard in your absence.	
	Place _____	
	Date ____/____/20____ Time ____ a.m./p.m.	
Issue of summons	_____ <i>[Signature of Registrar]</i> Date ____/____/20____	
For more information	For more information about this matter contact:	
	Name _____	
	Position _____	
	Phone no. _____	Ref no. _____

Service certificate	
Person serving summons	Name _____
	Address _____ Postcode _____
Service	Method <input type="checkbox"/> Handed to respondent in person <input type="checkbox"/> Posted to respondent's last known address <input type="checkbox"/> Left at respondent's last known address
	Place [if applicable] _____
	Date ____/____/20____ Time ____ a.m./p.m.
Certificate	I certify that I served this summons on the respondent in the manner described above.
	_____ [Signature] _____ Date ____/____/20____

By Command of the Lieutenant-Governor and Administrator,

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

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## WORKCOVER

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WC301\*

Workers' Compensation and Injury Management Act 1981

### Workers' Compensation and Injury Management Amendment Regulations (No. 3) 2005

Made by the Lieutenant-Governor and Administrator in Executive Council.

#### 1. Citation

These regulations are the *Workers' Compensation and Injury Management Amendment Regulations (No. 3) 2005*.

#### 2. The regulations amended

The amendments in these regulations are to the *Workers' Compensation and Injury Management Regulations 1982\**.

[\* Reprint 4 as at 17 April 2003.

For amendments to 24 November 2005 see *Western Australian Legislation Information Tables for 2004, Table 4, p. 465, and Gazette 21 January and 28 October 2005.*]

### 3. Regulation 26 amended

- (1) Regulation 26 is amended by inserting in the appropriate alphabetical positions —

“

**“fit and proper person”**, in relation to an applicant or registered agent, means a person who satisfies WorkCover WA that he or she —

- (a) by reason of qualification or experience or both, has sufficient knowledge of the workers' compensation jurisdiction to represent a party effectively; and
- (b) is of good character;

**“independent agent”** means a person in a class of persons prescribed under regulation 27A(c);

”

- (2) Regulation 26 is amended in the definition of “employer” by inserting after “an applicant or registered agent” —

“

, other than a person in a class of persons prescribed under regulation 27A(b) or (c)

”

### 4. Regulation 27 replaced by regulations 27 and 27A

Regulation 27 is repealed and the following regulations are inserted instead —

“

#### 27. Prescribed organisations (section 277(1)(e))

The following organisations are prescribed for the purposes of section 277(1)(e) of the Act —

- (a) the Asbestos Diseases Advisory Service of Australia;
- (b) UnionsWA;
- (c) the Chamber of Commerce and Industry of Western Australia.

#### 27A. Prescribed classes of persons (section 277(1)(f))

The following classes of persons are prescribed for the purposes of section 277(1)(f) of the Act —

- (a) persons employed or engaged by a person or body that is engaged to provide claims management services to a self-insurer;
- (b) persons engaged by a self-insurer to provide claims management services to the self-insurer;

- (c) persons to whom section 277 of the Act does not otherwise apply and who act, or propose to act, as independent agents in the Dispute Resolution Directorate.

”

#### 5. Regulation 28 amended

- (1) Regulation 28(2) is amended by deleting “The application” and inserting instead —

“

Unless an application is made by a person in a class of persons prescribed under regulation 27A(b) or (c), it

”

- (2) After regulation 28(2) the following subregulations are inserted —

“

- (2a) An application by an independent agent must be accompanied by —

- (a) a criminal record check in respect of the applicant issued not more than 3 months before the application is made;
- (b) if the criminal record check shows details of a conviction, a statement detailing the grounds on which the applicant believes that, having regard to the conduct required under the code of conduct, the conviction is of a kind that does not relate to whether or not the applicant is a fit and proper person to be registered;
- (c) a statement setting out the qualifications of the applicant, or any experience of the applicant, that demonstrates sufficient knowledge of the workers' compensation jurisdiction to enable the applicant to represent a party effectively;
- (d) a statutory declaration verifying the particulars contained in the application and accompanying material.

- (2b) An application by a person in a class of persons prescribed under regulation 27A(a) or (b) must be accompanied by —

- (a) a statement identifying the self-insurers to whom the agent, or the employer of the agent, is engaged to provide claims management services; and
- (b) a statutory declaration verifying the particulars contained in the statement.

”

- (3) Regulation 28(4) is repealed and the following subregulation is inserted instead —

“

- (4) A person has sufficient material resources to provide professional indemnity if —
- (a) the person is nominated by an employer who —
    - (i) maintains professional indemnity insurance for not less than \$1 million for any one claim; or
    - (ii) holds legal or equitable estates or interests of not less than \$1 million in real or personal property;
  - or
  - (b) the person holds legal or equitable estates or interests of not less than \$1 million in real or personal property.

”

- (4) After regulation 28(5) the following subregulation is inserted —

“

- (6) In subregulation (2a)(a) —
- “criminal record check”** means a document issued by the Western Australian Police Service, Australian Federal Police or another body or agency approved by WorkCover WA that sets out the criminal convictions of an individual for offences under the law of Western Australia, the Commonwealth, another State or a Territory.

”

## 6. Regulation 29 amended

- (1) Regulation 29(1) is repealed and the following subregulation is inserted instead —

“

- (1) WorkCover WA may refuse to register an applicant if —
- (a) the application is not duly made; or
  - (b) in the case of an application by an independent agent, the applicant is not a fit and proper person to be a registered agent.

”

- (2) Regulation 29(3) is amended by deleting “Registration” and inserting instead —

“

In the case of a registered agent other than a person in a class of persons prescribed under regulation 27A(b) or (c), registration

”

(3) After regulation 29(3) the following subregulation is inserted —

“

(4) In the case of a registered agent who is a person in a class of persons prescribed under regulation 27A(a) or (b), registration has effect to the extent that the person acts as a registered agent for —

- (a) a self-insurer identified in the agent’s application under regulation 28(2b); or
- (b) a self-insurer identified in a statement —
  - (i) provided to WorkCover WA after registration by the agent;
  - (ii) verified by statutory declaration of the agent; and
  - (iii) accepted by WorkCover WA.

”.

#### 7. Regulation 30 amended

(1) Regulation 30(3) is amended by deleting “It is” and inserting instead —

“

In the case of a registered agent other than a person in a class of persons prescribed under regulation 27A(b) or (c), it is

”.

(2) After regulation 30(3) the following subregulation is inserted —

“

(4) In the case of a registered agent who is a person in a class of persons prescribed under regulation 27A(a) or (b), it is a condition of registration that the person will not act as a registered agent other than for —

- (a) a self-insurer identified in the agent’s application under regulation 28(2b); or
- (b) a self-insurer identified in a statement —
  - (i) provided to WorkCover WA after registration by the agent;
  - (ii) verified by statutory declaration of the agent; and
  - (iii) accepted by WorkCover WA.

”.

#### 8. Regulation 32 amended

Regulation 32(4) is repealed and the following subregulation is inserted instead —

“

(4) WorkCover WA may refuse to renew the registration if —

- (a) the application is not duly made; or

- (b) in the case of an application by an independent agent, the applicant is not a fit and proper person to be a registered agent.

”.

**9. Regulation 35 amended**

Regulation 35(2)(b) is amended by deleting “employer of each” and inserting instead —

“ employer, if any, of the ”.

**10. Regulation 37 amended**

Regulation 37 is amended by inserting after “employer” —

“ , if any, ”.

**11. Regulation 43 amended**

- (1) Regulation 43(2) is amended as follows:

- (a) by deleting “The transition period” and inserting instead —

“

In the case of a person other than a person referred to in subregulation (2a), the transition period

”.

- (b) in paragraph (a) by deleting “on”.

- (2) After regulation 43(2) the following subregulation is inserted —

“

- (2a) In the case of a person who is an employee or officer of an organisation referred to in regulation 27(b) or (c), or a person in a class of persons prescribed under regulation 27A, the transition period is from commencement day until —

- (a) in the case of a person who does not make an application within 60 days after the commencement day for registration, the 60<sup>th</sup> day after the commencement day; and
- (b) in the case of a person who makes an application within 60 days after the commencement day for registration —
- (i) that person is registered under this Part; or
- (ii) the application is refused and the review period is completed,

whichever happens first.

”.



**12. Appendix 1 amended**

- (1) Appendix 1, form 23A is amended in the note relating to section 93EC by deleting “damages in respect of the disability” and inserting instead —

“ *damages in respect of the injury* ”.

- (2) Appendix 1, form 23B is amended in the note relating to section 93EC by deleting “damages in respect of the disability” and inserting instead —

“ *damages in respect of the injury* ”.

By Command of the Lieutenant-Governor and Administrator,

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

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**WORKSAFE**

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WS301\*

Occupational Safety and Health Act 1984

## **Occupational Safety and Health Amendment Regulations (No. 11) 2005**

Made by the Lieutenant-Governor and Administrator in Executive Council.

**1. Citation**

These regulations are the *Occupational Safety and Health Amendment Regulations (No. 11) 2005*.

**2. The regulations amended**

The amendments in these regulations are to the *Occupational Safety and Health Regulations 1996\**.

[\* *Reprint 4 as at 2 September 2005.*  
*For amendments to 4 November 2005 see Gazette*  
*9 September 2005.*]

**3. Regulation 2.8 amended**

Regulation 2.8(3) is repealed and the following subregulation is inserted instead —

“

- (3) Form 7 in Schedule 1 to the *Industrial Relations Commission Regulations 2005* in the form in which it is in force on 1 September 2005 is prescribed as the form to be used for a reference under section 51A(1) of the Act of a matter to the Tribunal for further review.

”

By Command of the Lieutenant-Governor and Administrator,

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

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## — PART 2 —

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### AGRICULTURE

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AG401\*

#### INDUSTRIAL HEMP ACT 2004 APPOINTMENTS

Department of Agriculture,  
South Perth WA 6151.

I, the undersigned Minister for Agriculture and Forestry, being the Minister responsible for the administration of the Industrial Hemp Act 2004, hereby appoint the following officers as *Authorised Inspectors pursuant to Section 38(1) of the Industrial Hemp Act 2004*.

Michael Scott	Davies
Peter Leslie	Hill
Mark Brendon	Holland
Francis Martin	O'Donnell
Dale Robert	Spencer

KIM CHANCE MLC, Minister for Agriculture and Forestry.

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### CONSERVATION

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CO401\*

#### CONSERVATION AND LAND MANAGEMENT ACT 1984 CONSERVATION AND LAND MANAGEMENT (REVOCATION OF STATE FOREST) ORDER (NO. 5) 2005

Made by the Lieutenant-Governor and Administrator in Executive Council under section 9(2) of the *Conservation and Land Management Act 1984*.

**1. Citation**

This order may be cited as the *Conservation and Land Management (Revocation of State Forest) Order (No. 5) 2005*.

**2. Background to this order**

(1) In accordance with section 9(2) of the Act, a proposal dated 12 October 2004 that, among other things, several areas (about 10.35 hectares in total) be revoked from State Forest Nos. 21 and 38 was laid before both Houses of Parliament.

(2) Resolutions that the proposal referred to in sub-clause (1) be carried out were passed by the Legislative Assembly on 9 November 2004 and by the Legislative Council on 1 December 2004.

(3) The lands referred to in sub-clause (1) have since been surveyed and are now described in Schedules 1 and 2. The areas involved fall within the Shires of Donnybrook-Balingup and Manjimup. They are required by Main Roads WA to widen or realign existing highways.

**3. Portions of State Forest Nos. 21 and 38 revoked**

The areas described in Schedules 1 and 2 are declared to be no longer State forest.

Schedule 1—Land no longer part of State Forest No. 21

**Widening of South Western Highway**

Lot 3000 (two severances) on Deposited Plan 46996	2.1777 hectares
On Department of Land Information Plan: Donnybrook (25) SE (2030-I-SE).	

Schedule 2—Land no longer part of State Forest No. 38

**Realignment and widening of Muirs Highway**

Lot 3001 (eight severances) on Deposited Plan 46998	8.4404 hectares
On Department of Land Information Plan: Deeside (25) NW (2129-II-NW).	

By Command of the Lieutenant-Governor and Administrator,

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

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**CONSUMER AND EMPLOYMENT PROTECTION**

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CE401

**COMPANIES (CO-OPERATIVE) ACT 1943**

Section 403

**REGISTRATION OF AUDITORS**

Notice is hereby given that the following person is registered as qualified to act as an auditor pursuant to s402 of the Act with effect from 1st December 2005—

Colin Brian Pavlovich

PATRICK WALKER, Commissioner for Fair Trading.

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**EDUCATION**

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ED401

**CURTIN UNIVERSITY OF TECHNOLOGY ACT 1966**

## APPROVED STATUTE

It is hereby notified that the Lieutenant-Governor and Administrator in Executive Council, acting under the provisions of Section 35 of the *Curtin University of Technology Act 1966*, has approved the Statute amending Statute No. 10—Student Disciplinary Statute as set out in the attached schedule.

Hon L. RAVLICH MLC, Minister for Education and Training.

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

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**STATUTE AMENDING STATUTE 10—STUDENT DISCIPLINARY STATUTE**

This Statute amends *Statute 10—Student Disciplinary Statute* which was first gazetted on 4 April 1975, and subsequently amended and gazetted on 26 March 1976, 30 April 1982, 19 December 1986, 27 January 1998, and 24 May 2002.

*Statute 10—Student Disciplinary Statute* is hereby amended by—

- the addition of a new section 14(2)(c) to read—  
*14(2)(c) two members of the full-time academic staff selected at random by the Vice-Chancellor, from a pool of four members elected by and from the academic staff annually;*
- the re-numbering of existing section 14(2)(c) as 14(2)(d).

Executed by the Parties as an Agreement.

In witness whereof the Parties hereto have executed this Agreement on the date first hereinbefore written:

The Common Seal of Curtin University of Technology was hereto affixed on the 19th day of October 2005 by the authority of the Vice-Chancellor.

JEANETTE HACKET, A/Vice-Chancellor.  
GEM CHEONG, Administrative Secretary.

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By Command of the Lieutenant-Governor and Administrator,

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

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## FIRE AND EMERGENCY SERVICES

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FE401\*

### FIRE AND EMERGENCY SERVICES AUTHORITY OF WESTERN AUSTRALIA ACT 1998

#### APPROVAL OF FESA UNITS—SECTION 18M

Correspondence No. 07850

Fire and Emergency Services Authority,  
Perth.

### FIRE AND EMERGENCY SERVICES AUTHORITY OF WESTERN AUSTRALIA ACT 1998— APPROVAL OF FESA UNITS

Fire and Emergency Services Authority of Western Australia

I, Robert Mitchell, the Fire and Emergency Services Authority of Western Australia Chief Executive Officer, hereby declare under section 18M(1) of the *Fire and Emergency Services Authority of Western Australia Act 1998* that the following Volunteer Emergency Service Unit is approved as a FESA Unit for the purposes of the Act—

Onslow Volunteer Emergency Service

ROBERT MITCHELL, Chief Executive Officer.

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## HEALTH

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HE401\*

### MENTAL HEALTH ACT 1996

MENTAL HEALTH (AUTHORIZED MENTAL HEALTH PRACTITIONERS) ORDER (NO. 4) 2005

Made by the Chief Psychiatrist under section 20.

#### Citation

1. This order may be cited as the *Mental Health (Authorized Mental Health Practitioners) Order (No. 4) 2005*.

#### Commencement

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

#### Authorized mental health practitioner

3. The mental health practitioners specified in Schedule 1 to this order are designated as authorized mental health practitioners.

#### Schedule 1

NAME	PROFESSION
ANSELL Richard	Mental Health Nurse
ARMSTRONG Carolyn	Mental Health Nurse
BARTLETT Correne	Occupational Therapist
BURROWS Fay	Mental Health Nurse
CASEY John	Mental Health Nurse
DARTNELL Susan	Social Worker
GIBSON Frances Mary	Mental Health Nurse
HO Sharon	Mental Health Nurse
HOPKINS John	Mental Health Nurse
LANG Pauline	Mental Health Nurse
MANUEL Carole	Social Worker
MERCER Belinda	Mental Health Nurse
MILLER Joanne	Mental Health Nurse
NEWDICK Sarah	Mental Health Nurse
PETERSEN Julie	Mental Health Nurse
PIERCE Amanda	Mental Health Nurse
ROBSON Jamie	Psychologist
SEAGROTT Geoff	Mental Health Nurse
SMALL Kylie	Social Worker
STEINER Gabe	Mental Health Nurse
SYMONDS Elaine	Mental Health Nurse
WILKES John	Mental Health Nurse
WRAGG Ivan	Mental Health Nurse

Dated 6th December 2005.

Dr ROWAN DAVIDSON, Chief Psychiatrist.

**HE402\*****MENTAL HEALTH ACT 1996****MENTAL HEALTH (AUTHORIZED MENTAL HEALTH PRACTITIONERS) REVOCATION  
ORDER (NO. 4) 2005**

Made by the Chief Psychiatrist under section 20.

**Citation**1. This order may be cited as the *Mental Health (Authorized Mental Health Practitioners) Revocation Order (No. 4) 2005*.**Commencement**2. This order comes into operation on the day on which it is published in the *Gazette*.**Revocation of designation**

3. The designation, as an authorized mental health practitioner, of the mental health practitioners specified in Schedule 1 to this order is revoked.

**Schedule 1**

NAME	PROFESSION
CARR Philip	Mental Health Nurse
COLEMAN Ruth	Mental Health Nurse
EASTHER Debbie	Mental Health Nurse
FAIRCLOUGH Natalie	Psychologist
GROVER Toni	Mental Health Nurse
HAMON Kaye	Mental Health Nurse
JACKSON Mark	Mental Health Nurse
JONES Mick	Mental Health Nurse
JUBB Maureen	Mental Health Nurse
McGEE Conor	Mental Health Nurse
PERKS Stephen	Mental Health Nurse
STONER Elizabeth	Mental Health Nurse
VANS RENSBERG Maria	Mental Health Nurse
WARD David	Mental Health Nurse

Dated 5th December 2005.

Dr ROWAN DAVIDSON, Chief Psychiatrist.

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**HERITAGE**

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**HR401\*****HERITAGE OF WESTERN AUSTRALIA ACT 1990****PART 6—ENFORCEMENT****Section 59****REVOCATION OF CONSERVATION ORDER****Le Fanu**

2 Salvado Street/66 Marine Parade, Cottesloe

Take notice that on the 22nd day of November 2005 in accordance with section 59(7)(b) of the *Heritage of Western Australia Act 1990* (the 'Act'), I, Francis Logan MLA, Minister for Heritage administering the Act, hereby revoke the following prohibitions that were made in a Conservation Order pursuant to section 59 of the Act by the then Minister for Heritage and gazetted on 4 August 1996—

- (i) the demolition of Le Fanu, being the building situated on land being Lot 12 of Section E on Plan 3392 (Sheet 1) and being the whole of the land comprised in Certificate of Title Volume 1937 Folio 537;
- (ii) except with the authority of the Minister for Heritage, the removal from the land of any material taken from the building; and
- (iii) except with the authority of the Minister for Heritage, the carrying out of any activity that may affect detrimentally the cultural heritage characteristics of Le Fanu.

Dated the 22nd day of November 2005.

FRANCIS LOGAN MLA, Minister for Heritage.

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## LAND

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LA401\*

**DAMPIER TO BUNBURY PIPELINE ACT 1997**

## DESIGNATED LAND

I, Alannah Joan Geraldine MacTiernan, DBNGP Land Access Minister, give notice in accordance with Section 33(1) of the *Dampier to Bunbury Pipeline Act 1997* that the land the subject of the LAND DESCRIPTION described below is designated, at the beginning of the day this notice is published in the *Government Gazette*, as additional land in the DBNGP corridor.

**LAND DESCRIPTION**

Portion of Lot 561 on Deposited Plan 202744 shown as DBNGP corridor marked X & Y on the Deposited Plan 39104 being part of the land comprised in Certificate of Title Volume 1746 Folio 203.

The Plans may be inspected at the Department of Land Information, Midland Square, Midland.

ALANNAH MacTIERNAN, MLA, DBNGP Land Access Minister.

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## LOCAL GOVERNMENT

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LG401

## SHIRE OF RAVENSTHORPE

## APPOINTMENTS

It is hereby notified for public information that—

Michael Kokir has been appointed by the Shire of Ravensthorpe as an authorised officer to enforce the Acts and Provisions of the following—

Litter Act 1979 and Regulations 1981

Caravan Park and Camping Grounds Act 1995 and Regulations

Michael Kokir has been appointed by the Shire of Ravensthorpe as a Fire Control Officer under the provisions of the Bush Fire Act 1954 and Regulations.

That Michael Kokir has been appointed by the Shire of Ravensthorpe as a Ranger, Poundkeeper, Authorised Officer and Dog Registration Officer under the provisions of the Dog Act 1976 and Regulations, and Dogs (Restricted Breeds) Regulations 2002.

That Michael Kokir has been appointed by the Shire of Ravensthorpe as a Ranger and Poundkeeper, under the provisions of Section 449 of the Local Government (Miscellaneous Provisions) Act 1960.

The following persons have been appointed as Dog Registration Officers under the Provisions of the Dog Act 1976 and Associated Regulations and the Dogs (Restricted Breeds) Regulations 2002—

Debra Taylor

Evelyn Dixon

Denise Wolfenden

All other appointments are hereby cancelled.

STUART TAYLOR, Chief Executive Officer.

LG402\*

**LOCAL GOVERNMENT ACT 1995****LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996***Shire of Sandstone*

## NOTIFICATION OF TAKING POSSESSION OF LAND

## UNDER SECTION 6.64 OF THE LOCAL GOVERNMENT ACT 1995

- To: William Nicholas Cock—

Notice is hereby given that the sum of \$200.10 having been unpaid to the Shire of Sandstone for a period of 3 years for rates in respect of the land situated at Lot 95 Payne Street Sandstone, being Lot 95 on deposited plan 223093 CT Vol 438 Fol 141, the local government has taken possession of the land pursuant to section 6.64 of the *Local Government Act 1995*, and in accordance with that section intends to cause the land to be transferred to the local government.

- To: Thomas Leslie Parkinson and Sydney Francis Yeo—

Notice is hereby given that the sum of \$2273.60 having been unpaid to the Shire of Sandstone for a period of 3 years for rates in respect of the land situated at Lot 86 Hack Street Sandstone, being Lot 86 on deposited plan 223093 CT Vol 1049 Fol 385, the local government has taken possession of the land pursuant to section 6.64 of the *Local Government Act 1995*, and in accordance with that section intends to cause the land to be transferred to the local government.

- To: Margaret Mary May Sharp and George Archibald Sharp as Executors of the Will of Adeline Mary Sharp—

Notice is hereby given that the sum of \$2776.28 having been unpaid to the Shire of Sandstone for a period of 3 years for rates in respect of the land situated at Lot 16 Hack Street Sandstone, being Lot 16 on deposited plan 223093 CT Vol 527 Fol 1, the local government has taken possession of the land pursuant to section 6.64 of the *Local Government Act 1995*, and in accordance with that section intends to cause the land to be transferred to the local government.

Signed for and on behalf of the Shire of Sandstone this 2nd day of December 2005.

W. T. ATKINSON, Chief Executive Officer,  
Shire of Sandstone,  
Hack Street Sandstone WA 6639.

#### LG403\*

### LOCAL GOVERNMENT ACT 1995

#### *Shire of Kulin*

#### APPOINTMENT OF AUTHORISED OFFICERS

It is hereby notified for public information that the following persons have been appointed as authorised officers for the Shire of Kulin under the provisions of the Dog Act 1976, Control of Vehicles (Off Road Areas) Act 1978, Litter Act 1979 and Bush Fires Act 1954.

Gregory Hadlow	Martin Gerard Whitely
Lenard Hobson	Michelle Marie Silvio
Rebecca Louise Burton	Darren Mark Thomas
Arthur Bartlett	Phillip James Gough

Rebecca Burton and Michelle Silvio have been appointed as Dog Registration Officers for the Shire of Kulin.

All other appointments are hereby cancelled.

GREG HADLOW, Chief Executive Officer.

#### LG404

### DOG ACT 1976

#### *City of Kalgoorlie-Boulder*

#### APPOINTMENTS

The City of Kalgoorlie-Boulder wishes to advise for public information the appointment of Gizem Atasoy and Julia Temby as authorised officers appointed as registration officers under the provisions of the Dog Act 1976.

IAN FLETCHER, Chief Executive Officer.

#### LG405\*

### SHIRE OF CARNAMAH

#### Appointment of Authorised Officer

It is hereby notified for public information that—

Anthony Graham	NOTTLE
Robert Wayne	TOBIASSEN
Malcolm Harold	PUMPHREY and
Samantha	APPLETON



have been appointed by the Council of the Shire of Carnamah, as Authorised Officers to enforce the provisions of the following—

- Local Government (Miscellaneous Provisions) Act 1960
- Local Government Act 1995
- Caravan Parks and Camping Grounds Act 1995
- Dog Act 1976 and Regulations
- Bush Fires Act 1954 and Regulations
- The Litter Act 1979
- Control of Vehicles (Off Road Areas) Act 1978 and Regulations (as amended)
- And applicable Shire Council Local Laws

The following persons have been authorised as Registration Officers in accordance with the Dog Act 1976 and Regulations—

Douglas Cyril	RAYNER
Stacey Lee	SUTHERLAND
Anthony John	O'BREZA
Wilhelmus Petrus	BUYING
Cher Marie	BLOW
Christine Louise	RAYNER
Roslyn Venettia	MILLER
Maxine	PHILBEY

All other appointments are cancelled.

A. G. NOTTLE, Chief Executive Officer.

#### LG406

#### LOCAL GOVERNMENT ACT 1995

*Shire of Wickepin*

#### APPOINTMENT OF AUTHORISED OFFICER/RANGER

It is hereby notified for public information that Mr Phillip James Gough has been appointed as an authorised person for the Shire of Wickepin under the provisions of the following Acts and associated Regulations effective immediately—

1. Dog Act 1976
2. Control of Vehicles (Off Road Areas) Act 1978
3. Litter Act 1979
4. Bush Fires Act 1954

ALAN J. LEESON, Chief Executive Officer.

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## MARINE/MARITIME

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#### MX401\*

#### WESTERN AUSTRALIAN MARINE ACT 1982

*Shire of Augusta-Margaret River*

#### BOATING PROHIBITED AREA

Gnarabup Beach

Department for Planning and Infrastructure  
Fremantle WA, 9 December 2005.

Acting pursuant to the powers conferred by Section 66 of the Western Australian Marine Act 1982, the department hereby closes the following waters to navigation by all motorised craft until further notice—

**Gnarabup Beach**—All waters of the Indian Ocean bounded by lines commencing at 33° 59.4173'S, 114° 59.4563'E (a point on the foreshore approximately 10 metres south of the Gnarabup Boat Ramp), thence along the foreshore to 33° 59.4437'S, 114° 59.4340'E (approximately 60 metres south-south-west), thence to 33° 59.4230'S, 114° 59.4128'E (approximately 50 metres north-west), thence to 33° 59.4057'S, 114° 59.4270'E (approximately 40 metres north northeast), thence back to the starting point (approximately 50 metres east-south-east). (All coordinates in GDA 94).

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

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**MINERALS AND PETROLEUM**

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MP401\*

Commonwealth of Australia

**PETROLEUM (SUBMERGED LANDS) ACT 1967**

Section 105(1)

## CANCELLATION OF EXPLORATION PERMIT WA-331-P

I, W. Mason, Acting Director Petroleum and Royalties Division in the Department of Industry and Resources, the delegate of the Designated Authority in respect of the adjacent area in respect of the State of Western Australia and on behalf of the Commonwealth-Western Australian Offshore Petroleum Joint Authority, hereby cancel Exploration Permit No. WA-331-P of which Icon Energy Limited is the registered holder, on the grounds of—

Non compliance with Condition 1 (work commitments) of Exploration Permit No. WA-331-P

Dated at Perth this 7th day of December 2005.

Made under the *Petroleum (Submerged Lands) Act 1967* of the Commonwealth of Australia.

(Signed), Delegate of the Designated Authority.

Pursuant to the instrument of delegation dated 2 April 2004.

For and on behalf of the Commonwealth—Western Australia Offshore Petroleum Joint Authority.

MP402\*

Commonwealth of Australia

**PETROLEUM (SUBMERGED LANDS) ACT 1967**

(Section 119)

## PROHIBITION OF ENTRY INTO A SAFETY ZONE

I, W. Mason, the Acting Director Petroleum and Royalties Division of the Department of Industry and Resources of the said State by instrument of delegation dated 26 March 2004, and pursuant to section 119 of the above Act, hereby prohibit all vessels other than vessels under control of the registered holders of Production Licence WA-28-L, vessels operated by authorised persons who are exercising powers under Division 6A of Part III section 140 (A) (1) of the above Act and Australian Customs Vessels defined as Commonwealth ships under the *Australian Customs Act 1901* from entering or remaining in the area of the safety zone without the consent in writing of the Director, Petroleum and Royalties Division.

This safety zone extends to a distance of five hundred metres, measured from each point of the outer edge of the drilling vessel/facility known as—

The Enfield Riser Turret Mooring System (RTM) and the stern of the outer edge of the Floating Production Storage and Offloading facility (FPSO), as it vanes around the RTM (latitude 21° 28' 53.36" South, longitude 114° 00' 29.38" East.\*);

The DCA 1 well (latitude 21° 28' 54.23" South, longitude 113° 59' 21.20" East.\*);

The DCB 2 well (latitude 21° 27' 55.94" South, longitude 113° 59' 34.83" East.\*);

The DCC 3 well (latitude 21° 29' 15.39" South, longitude 113° 58' 30.83" East.\*);

The DCD 4 well (latitude 21° 30' 03.52" South, longitude 113° 57' 51.14" East.\*).

The Safety Zone remains in force for the duration of the above well operational activities and with respect to the Enfield RTM for the tenure of Production Licence WA-28-L.

Where an unauthorised vessel enters or remains in the safety zone specified in contravention of this instrument, the owner and the person in command or in charge of the vessel are each guilty of an offence against section 119 of the Act and are punishable, upon conviction, by a fine not exceeding \$100,000 or imprisonment for a term not exceeding 10 years, or both, pursuant to section 119(3) of the Act.

Dated this 6th day of December 2005.

Made under the *Petroleum (Submerged Lands) Act 1967* of the Commonwealth of Australia.

W. MASON, Acting Director Petroleum and Royalties Division.

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## PLANNING AND INFRASTRUCTURE

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PI401\*

**TOWN PLANNING AND DEVELOPMENT ACT 1928**

APPROVED TOWN PLANNING SCHEME AMENDMENT

*City of Bayswater*

Town Planning Scheme No. 24—Amendment No. 4

Ref: 853/2/14/29 Pt 4

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act, 1928 (as amended) that the Minister for Planning and Infrastructure approved the City of Bayswater town planning scheme amendment on 6 December 2005 for the purpose of rezoning Lots 227 and 228 Nos 425 and 427 Guildford Road, Bayswater from “Medium Density Residential R17.5/30” to “Business”.

T. G. KENYON, Mayor.  
M. J. CAROSELLA, Chief Executive Officer.

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PI402\*

**TOWN PLANNING AND DEVELOPMENT ACT 1928**

APPROVED TOWN PLANNING SCHEME AMENDMENT

*City of Bayswater*

Town Planning Scheme No. 24—Amendment No. 11

Ref: 853/2/14/29 Pt 11

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act, 1928 (as amended) that the Minister for Planning and Infrastructure approved the City of Bayswater town planning scheme amendment on 5 December 2005 for the purpose of rezoning Lot 450 (No 14) Hillside Crescent corner of Richard Street, Maylands, from “Residential R20” to “Medium Density Residential R25”.

T. G. KENYON, Mayor.  
T. BUDZINSKI, Acting Chief Executive Officer.

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PI403\*

**TOWN PLANNING AND DEVELOPMENT ACT 1928**

TOWN PLANNING SCHEME AMENDMENT

*City of Belmont*

Town Planning Scheme No. 14—Amendment No. 17

Ref: 853/2/15/12 Pt 17

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act, 1928 (as amended) that the Minister for Planning and Infrastructure approved the City of Belmont town planning scheme amendment on 6 December 2005 for the purpose of—

1. Introducing a new definition of 'Home Business' in Schedule No 1 of the Scheme Text—
 

“Home Business” means a business, service or profession carried out in a dwelling or on land around a dwelling by an occupier of the dwelling which—

  - (a) does not employ more than two people not members of the occupier's household;
  - (b) will not cause injury to or adversely affect the amenity of the neighbourhood;
  - (c) does not occupy an area greater than 50 square metres;
  - (d) does not involve the retail sale, display or hire of goods of any nature;
  - (e) in relation to vehicles and parking, does not result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic volumes in the neighbourhood, and does not involve the presence, use or calling of a vehicle more than 3.5 tonnes tare weight; and
  - (f) does not involve the use of an essential service of great capacity than normally required in the zone;”

2. Inserting the new use class of 'Home Business' in TABLE 1—ZONING TABLE of the scheme text after the use class of 'Heath Centre' and for the zones the following symbols—

Residential	P
Town Centre	X
Commercial	X
Mixed Use	P
Industrial	X
Service Station	X
Places of Public Assembly	X
Residential and Stables	P
Special Development Precinct	X

G. J. GODFREY, Mayor.  
Dr S. SILCOX, Chief Executive Officer.

**PI404\***

**TOWN PLANNING AND DEVELOPMENT ACT 1928**

**TOWN PLANNING SCHEME AMENDMENT**

*City of Canning*

Town Planning Scheme No. 40—Amendment No. 140

Ref: 853/2/16/44 Pt 140

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act, 1928 (as amended) that the Minister for Planning and Infrastructure approved the City of Canning town planning scheme amendment on 6 December 2005 for the purpose of removing the Additional Use '29' for 36 Marjorie Avenue, Cnr Barbican Street (Lot 4), Riverton.

Dr M. S. LEKIAS, Mayor.  
D. CARBONE, Chief Executive Officer.

**PI405\***

**TOWN PLANNING AND DEVELOPMENT ACT 1928**

**APPROVED TOWN PLANNING SCHEME AMENDMENT**

*City of Canning*

Town Planning Scheme No. 40—Amendment No. 141

Ref: 853/2/16/44 Pt 141

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act, 1928 (as amended) that the Minister for Planning and Infrastructure approved the City of Canning town planning scheme amendment on 6 December 2005 for the purpose of rezoning 8 Walpole Street (Lot 271), St James from "Residential (R17.5/R20)" to "Highway Commercial".

Dr M. S. LEKIAS, Mayor.  
D. CARBONE, Chief Executive Officer.

**PI406\***

**TOWN PLANNING AND DEVELOPMENT ACT 1928**

**APPROVED TOWN PLANNING SCHEME AMENDMENT**

*City of Gosnells*

Town Planning Scheme No. 6—Amendment No. 45

Ref: 853/2/25/8 Pt 45

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act, 1928 (as amended) that the Minister for Planning and Infrastructure approved the City of Gosnells town planning scheme amendment on 6 December 2005 for the purpose of recoding 35 (Lot 410) Connemara Drive, Thornlie, from Residential R17.5 to Residential R30.

P. M. MORRIS, Mayor.  
S. JARDINE, Chief Executive Officer.

PI407\*

**TOWN PLANNING AND DEVELOPMENT ACT 1928**

## APPROVED TOWN PLANNING SCHEME AMENDMENT

*City of Joondalup*

District Planning Scheme No. 2—Amendment No. 24

Ref: 853/2/34/2 Pt 24

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act, 1928 (as amended) that the Minister for Planning and Infrastructure approved the City of Joondalup town planning scheme amendment on 5 December 2005 for the purpose of—

1. Unreserving Lot 61 (14) Leach Street, Marmion from Local Reserves Parks and Recreation and zoning it to Urban Development.
2. Inserting additional Clause 3.12.4 as follows—
  - 3.12.4 Specific Matters to be included in Structure Plans within the Urban Development Zone
    - 3.12.4.1 Structure Plan No 9—Lot 61 (No 14) Leach Street, Marmion
      - (a) The preparation of a Vegetation Management Plan by the landowner over the Public Open Space and approved by the Council, prior to the approval of a Structure Plan for the entire site is required. The public open space is intended to be located within the treed Northeast section of the lot.
      - (b) The Vegetation Management Plan shall be prepared in accordance with the City of Joondalup's Council Policy 1-2 'Public Participation' and shall aim to protect and enhance the area for bush conservation purposes for the long term enjoyment by the local community.
      - (c) The rehabilitation of the Public Open Space area shall be undertaken by the landowner following the approval by the Western Australian Planning Commission of the Structure Plan and prior to approval of any subdivision application over the land.
      - (d) An agreement being entered into between the City of Joondalup and the landowner. The agreement shall detail the landowner's commitment to \$10,000 for the preparation of the Vegetation Management Plan, and a further \$100,000 for the protection and further enhancement of the bushland on the proposed Public Open Space area.
      - (e) The landowner is advised that sub clause (d) above is additional to the standard statutory requirements that may be placed on the landowner at the time of subdivision and/or development.

J. PATERSON, Chairman of Commissioners.  
G. G. HUNT, Chief Executive Officer.

PI408\*

**TOWN PLANNING AND DEVELOPMENT ACT 1928**

## APPROVED TOWN PLANNING SCHEME AMENDMENT

*City of Nedlands*

Town Planning Scheme No. 2—Amendment No. 156

Ref: 853/2/8/4 Pt 156

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act, 1928 (as amended) that the Minister for Planning and Infrastructure approved the City of Nedlands town planning scheme amendment on 6 December 2005 for the purpose of amending the Scheme Map by rezoning Lots 5 and 11 North Street, Swanbourne, from "Residential R10/20" to "Residential R25".

L. G. TAYLOR, Mayor.  
D. E. PRICE, Chief Executive Officer.

PI409\*

**TOWN PLANNING AND DEVELOPMENT ACT 1928**

## APPROVED TOWN PLANNING SCHEME AMENDMENT

*Shire of Ravensthorpe*

Town Planning Scheme No. 5—Amendment No. 4

Ref: 853/5/20/7 Pt 4

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act, 1928 (as amended) that the Minister for Planning and Infrastructure approved

the Shire of Ravensthorpe town planning scheme amendment on 6 December 2005 for the purpose of—

1. Rezoning Pt Location 130 South Coast Highway, Ravensthorpe from the 'General Agriculture' zone to the 'Industry' zone and 'Recreation' reserve.
2. Rezoning Portion of Lot 1 and Lot 101 South Coast Highway, Ravensthorpe, from 'General Agriculture' zone to the 'Industry' zone.
3. Adding a new sub-clause to 4.8 Provisions for Specific Zones in the following manner—
  - 4.8.4 Industry Zone
 

The provisions for controlling subdivision, landuses and development relating to specific areas will be laid down in Schedule 12 to the Scheme. Subdivision and development within these areas shall be in accord with the Subdivision and Development Guide Plan for the specified area referred to in the Schedule and such plan shall form part of the Scheme.
4. Adding a new Schedule 12 to the Scheme and including site identification and provisions in the following manner—

#### Schedule 12—Industrial Areas

(a) Specified Area of Locality	(b) Provisions Relative to (a)
1. Portion of Lot 1 and Lots 101, 130 & 733 South Coast Highway, Ravensthorpe	<p><b>1.0 <u>Objectives of the Industrial Areas</u></b></p> <p>1.1 To provide for 'dry' industry that does not have significant effluent or waste disposal requirements.</p> <p>1.2 To ensure adequate separation between all industrial uses and existing residential and other sensitive land uses</p> <p>1.3 To ensure a high standard of amenity at the eastern entrance to Ravensthorpe townsite</p> <p><b>2.0 <u>Subdivision</u></b></p> <p>2.1 Subdivision shall generally be in accord with the Subdivision and Development Guide Plan for Area 1.</p> <p>2.2 Council may recommend the Western Australian Planning Commission approve minor variations to the Subdivision and Development Guide Plan.</p> <p>2.3 The minimum lot size shall be 2000m<sup>2</sup> within Lots 1, 101 &amp; 733 and 1.5ha within Lot 130.</p> <p>2.4 No lots shall have direct access onto the South Coast Highway. All access shall be via a service road or secondary road. Controlled access from these roads to the highway shall be to the satisfaction and specifications of Council and Main Roads WA.</p> <p><b>3.0 <u>Vegetation and Landscape Protection</u></b></p> <p>3.1 No development, including signage, shall be permitted within the Vegetation and Landscape Protection Areas identified on the Subdivision and Development Guide Plan. Alternative methods to fencing are to be used to demarcate boundaries through vegetated areas.</p> <p>3.2 No clearing of vegetation shall occur except for—</p> <ol style="list-style-type: none"> <li>(a) clearing to comply with the Bush Fires Act 1954 (as amended);</li> <li>(b) clearing that may reasonably be required for the construction of subdivisional roads and approved development;</li> <li>(c) trees that are diseased or dangerous.</li> </ol> <p>3.3 At subdivision stage the subdivider shall develop and implement, to Council's satisfaction, a landscape plan to revegetate areas shown on the Subdivision and Development Guide Plan, to visually screen industrial development from South Coast Highway, and undertake to maintain the revegetated areas for a period of three years.</p>

(a) Specified Area of Locality	(b) Provisions Relative to (a)
3.4	Additional tree/shrub planting, in accordance with Table 1 of the Scheme, may be required as a condition of development approval.
<b>4.0</b>	<b><u>Development</u></b>
4.1	Industries are to demonstrate, to the satisfaction of Council, that separation distances for sensitive land uses recommended by the Environmental Protection Authority can be achieved between the proposed use and the residential dwellings shown on the Subdivision Guide Plan.
4.2	Development Applications for industrial use are to detail all potential impacts associated with that use and proposed management of those impacts, in particular— <ul style="list-style-type: none"> <li>• noise levels</li> <li>• emissions</li> <li>• waste and effluent disposal</li> <li>• storage and management of hazardous materials</li> <li>• stormwater management</li> </ul> and demonstrate to the satisfaction of Council that there will be no detrimental impact on the environment or surrounding land uses
4.3	Any signage visible from South Coast Highway is to be incorporated with entry statements for Area 1 which have been approved by Council on the advice of Main Roads WA
5.0	Effluent Disposal and Drainage
5.1	In the absence of reticulated sewer, only dry industries will be permitted within Area 1.
5.2	Alternative Treatment Units may be required for development in proximity to the watercourse and in low lying areas.
5.3	Drainage and nutrient management is to be in accordance with the Department of Environment's Stormwater Management Manual, to the satisfaction of Council in consultation with the Department of Environment.
5. Amending the Scheme Maps accordingly.	

G. C. LEE, President.  
S. A. TAYLOR, Chief Executive Officer.

**PI410\***

**TOWN PLANNING AND DEVELOPMENT ACT 1928**

APPROVED TOWN PLANNING SCHEME AMENDMENT

*Shire of Ravensthorpe*

Town Planning Scheme No. 5—Amendment No. 5

Ref: 853/5/20/7 Pt 5

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act, 1928 (as amended) that the Minister for Planning and Infrastructure approved the Shire of Ravensthorpe town planning scheme amendment on 6 December 2005 for the purpose of—

1. Rezoning Lot 733 South Coast Highway, Ravensthorpe, from the “General Agriculture” zone to the “Industry” zone.
2. Incorporating the site description within Area 1 of Schedule 12—Industrial Areas of the Scheme Text.
3. Amending the Scheme Maps accordingly.

G. C. LEE, President.  
S. A. TAYLOR, Chief Executive Officer.

**PI411\***

**TOWN PLANNING AND DEVELOPMENT ACT 1928**  
**APPROVED TOWN PLANNING SCHEME AMENDMENT**  
*Shire of Ravensthorpe*

Town Planning Scheme No. 5—Amendment No. 6

Ref: 853/5/20/7 Pt 6

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act, 1928 (as amended) that the Minister for Planning and Infrastructure approved the Shire of Ravensthorpe town planning scheme amendment on 6 December 2005 for the purpose of—

1. Rezoning Lots 672 and 673 Ravensthorpe-Hopetoun Road, Ravensthorpe, from the General Agriculture zone to the Industry zone.
2. Amendment the Scheme Maps accordingly.

G. C. LEE, President.  
 S. A. TAYLOR, Chief Executive Officer.

**PI412\***

**TOWN PLANNING AND DEVELOPMENT ACT 1928**  
**APPROVED TOWN PLANNING SCHEME AMENDMENT**  
*City of Wanneroo*

District Planning Scheme No. 2—Amendment No. 50

Ref: 853/2/30/19 Pt 50

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act, 1928 (as amended) that the Minister for Planning and Infrastructure approved the City of Wanneroo town planning scheme amendment on 6 December 2005 for the purpose of rezoning a portion of Lot 34 Lancaster Road, Wangara, from Business to Service Industrial Zone.

S. SALPIETRO, Deputy Mayor.  
 W. WRIGHT, Acting Chief Executive Officer.

**PI413\***

**TOWN PLANNING AND DEVELOPMENT ACT 1928**  
**APPROVED TOWN PLANNING SCHEME AMENDMENT**  
*Shire of Katanning*

Town Planning Scheme No. 4—Amendment No. 5

Ref: 853/5/10/4 Pt 5

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act, 1928 (as amended) that the Minister for Planning and Infrastructure approved the Shire of Katanning town planning scheme amendment on 5 December 2005 for the purpose of—

1. in the “Arrangement” of the Scheme Text—
  - (a) changing the heading of clause 1.8 from ‘Interpretations’ to ‘Definitions’;
  - (b) under the heading “Schedules” changing the heading for Schedule 1 from ‘Interpretations’ to ‘Definitions’, and deleting Schedules 6 to 9 inclusive and inserting therein—
    - “6 Exempted Advertisements
    - 7 Form of Application for Planning Approval
    - 8 Additional information for Advertisements
    - 9 Notice of Public Advertisement of Planning Proposal
    - 10 Notice of Determination on Application for Planning Approval”
2. substituting “clause” for “sub-clause” wherever the term occurs in the Scheme.
3. substituting “Residential Design Codes” for “Residential Planning Codes” wherever the term occurs in the Scheme.
4. changing the heading for clause 1.8 and Schedule 1 from ‘Interpretations’ to ‘Definitions’.
5. in clause 3.2.2 inserting the following after the meaning of “SA”—
 

“X” means a use that is not permitted by the Scheme.”



## 6. deleting clauses 3.2.3, 3.2.4, and 3.2.5 and substituting—

“3.2.3 A change in the use of land from one use to another is permitted if—

- (a) the Council has exercised its discretion by granting planning approval;
- (b) the change is to a use which is designated with the symbol “P” in the cross reference to that zone in the Zoning Table and the proposed use complies with all the relevant development standards and any requirements of the Scheme;
- (c) the change is an extension of a use within the boundary of the lot which does not change the predominant use of the lot; or
- (d) the change is to an incidental use that does not change the predominant use of the land.

Note: 1. The planning approval of the Council is required for the development of land in addition to any approval granted for the use of land. In normal circumstances one application is made for both the use and development of land.

2. The Council will not refuse a ‘P’ use because of the unsuitability of the use for the zone but may impose conditions on the use of the land to comply with any relevant development standards or requirements of the Scheme, and may refuse or impose conditions on any development of the land.

3. In considering an “AA” or “SA” use, the Council will have regard to the matters set out in clause 8.5.

4. The Council must refuse to approve any “X” use of land. Approval to an “X” use of land may only proceed by way of an amendment to the Scheme.

3.2.4 Where a specific use is mentioned in the Zoning Table, it is deemed to be excluded from the general terms used to describe any other use.

3.2.5 If a person proposes to carry out on land any use that is not specifically mentioned in the Zoning Table and cannot reasonably be determined as falling within the type, class or genus of activity of any other use category the Council may—

- (a) determine that the use is consistent with the objectives of the particular zone and is therefore permitted;
- (b) determine that the use may be consistent with the objectives of the particular zone and thereafter follow the advertising procedures of clause 8.3 in considering an application for planning approval; or
- (c) determine that the use is not consistent with the objectives of the particular zone and is therefore not permitted.”

## 7. deleting the Zoning Table and substituting—

**“TABLE 1  
ZONING TABLE**

USES	RESIDENTIAL	SPECIAL RESIDENTIAL	TOWN CENTRE	COMMERCIAL	LIGHT INDUSTRIAL	GENERAL INDUSTRIAL	SPECIAL RURAL	RURAL
1 aged or dependent persons’ dwelling	AA	X	X	X	X	X	X	X
2 agriculture-extensive	X	X	X	X	X	X	X	P
3 agroforestry	X	X	X	X	X	X	X	P
4 ancillary accommodation	AA	AA	X	X	X	X	AA	AA
5 ancillary tourist use	X	SA	AA	SA	SA	X	SA	AA
6 animal husbandry—intensive	X	X	X	X	X	X	X	SA
7 caretaker’s dwelling	X	X	AA	AA	AA	AA	X	AA
8 civic building	AA	X	AA	AA	AA	X	X	X
9 club premises	X	X	AA	AA	X	X	X	AA
10 consulting rooms	SA	X	P	AA	X	X	X	X
11 education establishment	SA	X	SA	AA	X	X	X	AA
12 farm supply centre	X	X	X	AA	P	P	X	X
13 fuel depot	X	X	X	X	AA	P	X	X
14 grouped dwelling	AA	X	AA	AA	X	X	X	P
15 home business	SA	SA	AA	AA	X	X	SA	AA
16 home occupation	AA	AA	X	X	X	X	AA	AA
17 hotel	X	X	AA	SA	X	X	X	X
18 industry—cottage	SA	AA	X	X	X	X	AA	AA
19 industry—extractive	X	X	X	X	X	X	X	AA
20 industry—general	X	X	X	X	X	AA	X	X

USES	RESIDENTIAL	SPECIAL RESIDENTIAL	TOWN CENTRE	COMMERCIAL	LIGHT INDUSTRIAL	GENERAL INDUSTRIAL	SPECIAL RURAL	RURAL	
21	industry—light	X	X	X	X	P	P	X	X
22	industry—noxious	X	X	X	X	X	SA	X	SA
23	industry—rural	X	X	X	X	X	SA	X	SA
24	industry—service	X	X	X	AA	P	P	X	X
25	intensive agriculture	X	X	X	X	X	X	X	AA
26	local shop	SA	X	P	AA	AA	AA	X	X
27	motel	SA	X	AA	AA	X	X	X	X
28	motor vehicle, boat or caravan sales	X	X	AA	P	P	P	X	X
29	motor vehicle repair	X	X	X	SA	P	P	X	X
30	office	X	X	P	P	AA	X	X	X
31	plantation	X	X	X	X	X	X	X	AA
32	plant nursery	SA	X	X	SA	P	AA	SA	SA
33	public recreation	P	P	P	P	P	P	P	P
34	public utility	AA	AA	AA	AA	AA	AA	AA	AA
35	residential building	AA	X	AA	AA	X	X	X	SA
36	restaurant	X	X	P	AA	X	X	X	AA
37	restricted premises	X	X	SA	X	SA	X	X	X
38	rural home business	X	X	X	X	X	X	SA	AA
39	rural pursuit	X	X	X	X	X	X	SA	P
40	service station	X	X	SA	SA	P	AA	X	SA
41	shop	X	X	P	SA	X	X	X	X
42	single house	P	P	AA	AA	X	X	P	P
43	take-away food outlet	X	X	AA	AA	X	X	X	X
44	tavern	X	X	AA	SA	X	X	X	X
45	transport depot	X	X	X	X	P	P	X	SA
46	veterinary centre	X	X	SA	AA	P	AA	AA	AA

8. deleting clause 6.8.4.

9. in clause 8.1.2 inserting the following after paragraph (e)—  
“(f) home office.”

10. deleting clause 8.5 and substituting—

**“8.5 Matters to be Considered by the Council**

The Council in considering an application for planning approval is to have due regard to such of the following matters as are in the opinion of the Council relevant to the use or development the subject of the application—

- (a) the aims and provisions of the Scheme and any other relevant town planning schemes operating within the Scheme Area;
- (b) the requirements of orderly and proper planning including any relevant proposed new town planning scheme or amendment, or region scheme or amendment, which has been granted consent for public submissions to be sought;
- (c) any approved Statement of Planning Policy of the Commission;
- (d) any approved Environmental Protection Policy under the *Environmental Protection Act 1986*;
- (e) any relevant policy or strategy of the Commission or any relevant planning policy adopted by the Government of the State;
- (f) any Local Planning Policy adopted by the Council under clause 9.6, any heritage policy statement for a designated area adopted under clause 5.3.2, and any other plan or guideline adopted by the Council under the Scheme;
- (g) in the case of land reserved under the Scheme, the ultimate purpose intended for the reserve;
- (h) the conservation of any place that has been entered in the Register within the meaning of the *Heritage of Western Australia Act 1990* or which is included in the

Heritage List under clause 5.2, and the effect of the proposal on the character or appearance of a heritage area;

- (i) the compatibility of a use or development with its setting;
- (j) any social issues that have an effect on the amenity of the locality;
- (k) the cultural significance of any place or area affected by the development;
- (l) the likely effect of the proposal on the natural environment and any means that are proposed to protect or to mitigate impacts on the natural environment;
- (m) whether the land to which that application relates is unsuitable for the proposal by reason of it being, or likely to be, subject to flooding, tidal inundation, subsidence, landslip, bush fire, or any other risk;
- (n) the preservation of the amenity of the locality;
- (o) the relationship of the proposal to development on adjoining land or on other land in the locality including but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the proposal;
- (p) whether the proposed means of access to and egress from the site are adequate and whether adequate provision has been made for the loading, unloading, manoeuvring, and parking of vehicles;
- (q) the amount of traffic likely to be generated by the proposal, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety;
- (r) whether public transport services are necessary and, if so, whether they are available and adequate for the proposal;
- (s) whether public utility services are available and adequate for the proposal;
- (t) whether adequate provision has been made for access for pedestrians and cyclists (including end of trip storage, toilet and shower facilities);
- (u) whether adequate provision has been made for access by disabled persons;
- (v) whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved;
- (w) whether the proposal is likely to cause soil erosion or land degradation;
- (x) the potential loss of any community service or benefit resulting from the planning approval;
- (y) any relevant submission received on the application;
- (z) the comments or submissions received from any authority consulted under clause 8.4;
- (za) the need to protect Aboriginal sites of significance as required under the *Aboriginal Heritage Act 1972*;
- (zb) potential impacts of noise, dust light, risk and other pollutants on surrounding land uses; and
- (zc) any other planning consideration the Council considers relevant.”

11. deleting clause 9.7 and substituting—

**“9.7 Delegation**

- 9.7.1 The Council may, in writing and either generally or as otherwise provided by the instrument of delegation, delegate to a committee or the CEO, within the meaning of those expressions under the *Local Government Act 1995*, the exercise of any of its powers or the discharge of any of its duties under the Scheme, other than this power of delegation.
- 9.7.2 The CEO may delegate to any employee of the Council the exercise of any of the CEO’s powers or the discharge of any of the CEO’s duties under clause 9.7.1.
- 9.7.3 The exercise of the power of delegation under clause 9.7.1 requires a decision of an absolute majority as if the power had been exercised under the *Local Government Act 1995*.
- 9.7.4 Sections 5.45 and 5.46 of the *Local Government Act 1995* and the regulations referred to in section 5.46 apply to a delegation made under this clause as if the delegation were a delegation under Division 4 of Part 5 of that Act.”

12. in Schedule 1 deleting the definitions for “aquaculture”, “feedlot”, “industry-noxious”, “motor vehicle and marine sales”, “piggery”, “poultry farm”, “showroom”, and “veterinary hospital” and inserting the following definitions in alphabetic order—

agriculture—extensive means premises used for the raising of stock or crops but does not include intensive agriculture or animal husbandry—intensive;

agroforestry means land used commercially for tree production and agriculture where trees are planted in blocks of more than one hectare;

ancillary tourist use means premises used for—

- (a) recreation or entertainment,
- (b) consumption of food and / or beverages,

- (c) the sale of produce,
- (d) the sale of arts and crafts, and / or
- (e) conducting excursions for tourists,

where such use is incidental to and directly related to the predominant use of the land;

animal husbandry—intensive means premises used for keeping, rearing or fattening of pigs, poultry (for either egg or meat production), rabbits (for either meat or fur production) and other livestock in feedlots;

aquaculture has the same meaning given to the term in the *Fish Resources Management Act 1994*;

bed and breakfast means a dwelling, used by a resident of the dwelling, to provide accommodation for persons away from their normal place of residence on a short-term commercial basis and includes the provision of breakfast;

farm supply centre means the use of premises for the supply of vegetable seed, fertilizers, agricultural chemicals, stock foods, tractors, farm equipment, implements or components, or irrigation equipment;

home business means a business, service or profession carried out in a dwelling or on land around a dwelling by an occupier of the dwelling which—

- (a) does not employ more than 2 people not members of the occupier's household;
- (b) will not cause injury to or adversely affect the amenity of the neighbourhood;
- (c) does not occupy an area greater than 50 square metres;
- (d) does not involve the retail sale, display or hire of goods of any nature;
- (e) in relation to vehicles and parking, does not result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic volumes in the neighbourhood, and does not involve the presence, use or calling of a vehicle more than 3.5 tonnes tare weight; and
- (f) does not involve the use of an essential service of greater capacity than normally required in the zone;

home office means a home occupation limited to a business carried out solely within a dwelling by a resident of the dwelling but which does not—

- (a) entail clients or customers travelling to and from the dwelling;
- (b) involve any advertising signs on the premises; or
- (c) require any external change to the appearance of the dwelling;

incidental use means a use of premises which is ancillary and subordinate to the predominant use;

industry—mining means land used commercially to extract minerals from the land;

industry—noxious means an industry which is an offensive trade within the meaning of Schedule 2 of the *Health Act 1911* but where an offensive trade is also included as a category of prescribed premises set out in Schedule 1 of the Environmental Protection Regulations, Schedule 2 of the *Health Act 1911* prevails and includes a landfill site, but does not include a fish shop, dry cleaning premises, laundromat, piggery, poultry farm or rabbit farm.

motor vehicle, boat or caravan sales means premises used to sell or hire motor vehicles, boats or caravans;

plantation has the same meaning as in the *Code of Practice for Timber Plantations in Western Australia* (1997) published by the Department of Conservation and Land Management and the Australian Forest Growers;

predominant use means the primary use of premises to which all other uses carried out on the land or buildings are subordinate, incidental or ancillary;

premises means land or buildings;

rural home business means a business, service, or profession carried out in a dwelling or on land around a dwelling by an occupier of the dwelling which—

- (a) does not employ more than 2 people not members of the occupier's household;
- (b) will not cause injury to or adversely affect the amenity of the neighbourhood;
- (c) does not occupy an area greater than 200 square metres;
- (d) does not involve the retail sale, display, or hire of goods of any nature;
- (e) in relation to vehicles and parking, does not result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic volumes in the neighbourhood, and does not involve the presence, use or calling of more than 3 vehicles, with vehicles not being more than 25 tonnes gross weight; and
- (f) does not involve the use of an essential service of greater capacity than normally required in the zone.

substantially commenced means that work or development the subject of planning approval has been begun by the performance of some substantial part of that work or development;

showroom means premises used to display, sell by wholesale or retail, or hire, automotive parts and accessories, camping equipment, electrical light fittings, equestrian supplies, floor

coverings, furnishings, furniture, household appliances, party supplies, swimming pools or goods of a bulky nature;

telecommunications infrastructure means land used to accommodate any part of the infrastructure of a telecommunications network and includes any line, equipment, apparatus, tower, antenna, tunnel, duct, hole, pit or other structure used, or for use in or in connection with, a telecommunications network;

trade display means premises used for the display of trade goods and equipment for the purpose of advertisement;

veterinary centre means premises used to diagnose animal diseases or disorders, to surgically or medically treat animals, or for the prevention of animal diseases or disorders;”

13. deleting Schedule 2 and substituting—

**SCHEDULE 2  
SPECIAL USE ZONES**

No.	PARTICULARS OF LAND	SPECIAL USE
1.	Lots 38 and 43 Amherst, Avon, and Beaufort Streets, Katanning.	Church, private education establishment
2.	Lots 85 and 86 Amherst Street, Katanning.	Private club premises and such other associated uses as may be approved by the Council in accordance with the Scheme
3.	Lot 3 Tait Terrace, Braeside Road, Synnott Avenue, and Carinyah Gardens, Katanning	Private club and recreation
4.	Part of Lot 131 Kobeelya Avenue, Brownie Street, Katanning.	Church, private education establishment, conference facilities, hostel and such other associated uses as may be approved by the Council in accordance with the Scheme
5.	Lot 2, 130, and 4 Round Drive, Katanning.	Private club and recreation, and golf course
6.	Lot 10 and Ptn Location 1619 Round Drive, Katanning.	Private gun club
7.	Lot 412 Dijon Street, Katanning.	Community centre and such other associated uses as may be approved by the Council in accordance with the Scheme
8.	Part Lot 3 Great Southern Highway and Trimmer Road, Katanning.	Abattoir, water storage, stockyards, skin drying sheds and such other associated uses as may be approved by the Council in accordance with the Scheme
9.	Location 964 Great Southern Highway/Kojonup Road/Kierle Street, Katanning.	Short-stay accommodation/caravan park/motel and such other associated uses as may be approved by the Council in accordance with the Scheme

14. deleting Schedules 6 to 9 inclusive and substituting—

**SCHEDULE 6  
EXEMPTED ADVERTISEMENTS**

LAND USE AND/OR DEVELOPMENT	EXEMPTED SIGN TYPE AND NUMBER (includes the change of posters or poster signs and applies to non-illuminated signs unless otherwise stated)	MAXIMUM AREA
Dwellings	One professional nameplate as appropriate.	0.2m <sup>2</sup>
Home Business or Home Occupation	One advertisement describing the nature of the home business or home occupation.	0.2m <sup>2</sup>
Places of Worship, Meeting Halls and Places of Public Assembly	One advertisement detailing the function and/or the activities of the institution concerned.	0.2m <sup>2</sup>
Cinemas, Theatres and Drive-In Theatres	Two signs (illuminated or non-illuminated) detailing the entertainment being presented from time to time at the venue upon which the signs are displayed.	Each advertisement sign not to exceed 5m <sup>2</sup>
Shops, Showrooms and other uses appropriate to a Shopping Area	All advertisements affixed to the building below the top of the awning or, in the absence of an awning, below a line measured at 5 metres from the ground floor level of the building subject to compliance with the requirements of the Signs Hoarding and Bill Posting Local Laws.	Not Applicable

LAND USE AND/OR DEVELOPMENT	EXEMPTED SIGN TYPE AND NUMBER (includes the change of posters or poster signs and applies to non-illuminated signs unless otherwise stated)	MAXIMUM AREA
Industrial and Warehouse Premises	<p>A maximum of four advertisements applied to or affixed to the walls of the building but not including signs which project above the eaves or the ridge of the roof of the building, and excluding signs projecting from a building and excluding signs which are connected to a pole, wall, or other building.</p> <p>A maximum of two freestanding advertisement signs not exceeding 5 metres in height above ground level.</p>	<p>Total area of such advertisements are not to exceed 15m<sup>2</sup></p> <p>Maximum permissible total area is not to exceed 10m<sup>2</sup> and individual advertisement signs are not to exceed 6m<sup>2</sup>.</p>
Showroom, racecourses, major racing tracks, sports stadia, major sporting grounds and complexes	All signs provided that, in each case, the advertisement is not visible from outside the complex or facility concerned either from other private land or from public places and streets.	Not Applicable
Public Places and Reserves	<p>Advertisement signs (illuminated and non-illuminated) relating to the functions of Government, a public authority or local government excluding those of a promotional nature constructed or exhibited by, or on behalf of any such body, and</p> <p>Advertisement signs (illuminated and non-illuminated) required for the management or control of traffic on any public road, car park, cycleway, railway or waterway where such advertisement has been constructed or exhibited by or at the direction of a Government department, public authority or the local government, and</p> <p>Advertisement signs (illuminated and non-illuminated) required to be exhibited by or pursuant to any statute or regulation or the like made pursuant to powers contained within a Statute provided that any such advertisement is constructed and/or exhibited strictly in accordance with the requirements specified therein.</p>	<p>Not Applicable</p> <p>Not Applicable</p> <p>Not Applicable</p>
Railway Property and Reserves	Advertisement signs exhibited on such land provided that each such advertisement is directed only at persons at or upon railway station.	No sign is to exceed 2m <sup>2</sup> in area.
Advertisements within Buildings	All advertisements placed or displayed within buildings, which cannot ordinarily be seen by a person outside of those buildings.	Not Applicable
All classes of buildings other than single family dwellings	One advertisement sign containing the name, number and address of the building, the purpose for which the building is used or the name and address of the managing agent thereof.	0.2m <sup>2</sup>
TEMPORARY SIGNS	EXEMPTED SIGN TYPE AND NUMBER (All non-illuminated unless otherwise stated)	MAXIMUM AREA
<p>Building Construction Sites (advertisement signs displayed only for the duration of the construction) as follows:</p> <p>(a) Dwellings</p>	One advertisement per street frontage containing details of the project and the contractors undertaking the construction work.	2m <sup>2</sup>

TEMPORARY SIGNS	EXEMPTED SIGN TYPE AND NUMBER (All non-illuminated unless otherwise stated)	MAXIMUM AREA
(b) Multiple dwellings, shops, commercial and industrial properties  (c) Large development or redevelopment projects involving shopping centres, office or other buildings exceeding three (3) storeys in height	One sign as for (a) above.  One sign as for (a) above One additional sign showing the name of the project builder.	5m <sup>2</sup>  10m <sup>2</sup> 5m <sup>2</sup>
Sales of goods or livestock	One sign per lot displayed for a period not exceeding 3 months advertising the sale of goods or livestock upon any land or within any building upon which the sign is exhibited provided that the land is not normally used for that purpose	2m <sup>2</sup>
Property transactions Advertisement signs displayed for the duration of the period over which property transactions are offered and negotiated as follows: (a) Dwellings  (b) Multiple dwellings, shops, commercial and industrial properties  (c) Large properties comprised of shopping centres, buildings in excess of four (4) storeys and rural properties in excess of five (5) hectares.	One sign per street frontage for each property relating to the Sale, leasing or impending auction of the property at or upon which the sign is or the signs are displayed.  One sign as for (a) above.  One sign as for (a) above	Each sign is not to exceed an area of 2m <sup>2</sup>  Each sign is not to exceed an area of 5m <sup>2</sup>  Each sign is not to exceed an area of 10m <sup>2</sup>
Display Homes Advertisement signs displayed for the period over which homes are on display for public inspection	(a) One sign for each dwelling on display.	2m <sup>2</sup>
	(b) In addition to (a) above one sign for each group of dwellings displayed by a single project builder giving details of the project building company and details of the range of dwellings on display.	5m <sup>2</sup>

**SCHEDULE 7**  
**FORM OF APPLICATION FOR PLANNING APPROVAL**  
 APPLICATION FOR PLANNING APPROVAL

OWNER DETAILS:

Name.....  
 Address..... Post Code.....  
 Phone (work)..... (home)..... Fax..... E-Mail.....  
 Contact Person.....  
 Signature..... Date.....  
 Signature..... Date.....

*The signature of the landowner(s) is required on all applications. This application will not proceed without that signature.*

**APPLICANT DETAILS:**

Name.....  
 Address.....Post Code.....  
 Phone (work)..... (home)..... Fax..... E-Mail.....  
 Contact Person for correspondence.....  
 Signature..... Date.....

**PROPERTY DETAILS:**

Lot No..... House/Street No. .... Location No. ....  
 Diagram or Plan No. .... Certificate of Title No. .... Folio.....  
 Diagram or Plan No. .... Certificate of Title No. .... Folio.....  
 Title Encumbrances (eg, easements, restrictive covenants).....  
 Street Name..... Suburb.....  
 Nearest Street Intersection.....  
 Existing Building/Land Use.....  
 Description of proposed development and/or use.....  
 Nature of any existing buildings and/or use.....  
 Approximate cost of proposed development.....  
 Estimated time of completion.....

<b>OFFICE USE ONLY</b>	
Acceptance Officer's Initials.....	Date Received.....
Council's Reference No. ....	

**SCHEDULE 8**

**ADDITIONAL INFORMATION FOR ADVERTISEMENTS  
 ADDITIONAL INFORMATION FOR ADVERTISEMENTS**

(NOTE: TO BE COMPLETED IN ADDITION TO THE APPLICATION FOR PLANNING APPROVAL FORM)

1. Description of property upon which advertisement is to be displayed including full details of its proposed position within that property—  
 .....
2. Details of Proposed Sign—
  - (a) Type of structure on which advertisement is to be erected (i.e. freestanding, wall mounted, other)—  
 .....
  - (b) Height ..... Width:..... Depth: .....
  - (c) Colours to be used: .....
  - (d) Height above ground level —(to top of advertisement): .....  
 —(to the underside): .....
  - (e) Materials to be used.....  
 Illuminated: Yes / No      If yes, state whether steady, moving, flashing, alternating, digital, animated or scintillating and state intensity of light source:  
 .....
3. Period of time for which advertisement is required: .....
4. Details of signs (if any) to be removed if this application is approved—  
 .....

Note: This application should be supported by a photograph or photographs of the premises showing superimposed thereon the proposed position for the advertisement and those advertisements to be removed detailed in 4 above.  
 Signature of Advertiser(s)—  
 (if different from landowners) .....

Date: .....



**SCHEDULE 9  
NOTICE OF PUBLIC ADVERTISEMENT OF PLANNING PROPOSAL**

Town Planning and Development Act 1928

SHIRE OF KATANNING

TOWN PLANNING SCHEME NO. 4

**NOTICE OF PUBLIC ADVERTISEMENT OF PLANNING PROPOSAL**

The Council has received an application to use and/or develop land for the following purpose and public comments are invited.

LOT NO. .... STREET.....  
SUBURB.....  
PROPOSAL.....

Details of the proposal are available for inspection at the Council office. Comments on the proposal may be submitted to the Council in writing on or before the..... day of.....

CHIEF EXECUTIVE OFFICER

DATE

**SCHEDULE 10  
NOTICE OF DETERMINATION ON APPLICATION FOR PLANNING APPROVAL**

Town Planning and Development Act 1928

SHIRE OF KATANNING

TOWN PLANNING SCHEME NO. 4

**NOTICE OF DETERMINATION ON APPLICATION FOR PLANNING APPROVAL**

LOCATION: .....  
LOT: ..... PLAN/DIAGRAM:.....  
VOL: NO: ..... FOLIO NO: .....  
Application Date:..... Received on: .....  
Description of proposed development:.....

The application for planning approval is—  
 granted subject to the following conditions—  
 refused for the following reason(s)—  
CONDITIONS / REASONS FOR REFUSAL—

- Note 1: If the development the subject of this approval is not substantially commenced within a period of 2 years, or such other period as specified in the approval after the date of the determination, the approval will lapse and be of no further effect.
- Note 2: Where an approval has so lapsed, no development is to be carried out without the further approval of the Council having first been sought and obtained.
- Note 3: If an applicant is aggrieved by this determination there is a right of appeal under Part V of the Town Planning and Development Act 1928. An appeal must be lodged within 60 days of the Council's determination.

.....  
CHIEF EXECUTIVE OFFICER DATE

- 15. as shown on the Scheme Amendment Map—
  - (a) rezoning Lots 24 to 29 inclusive Clive Street, Katanning, from “Commercial” to “Residential” with R12.5 density code;
  - (b) rezoning Lots 1 to 3 inclusive, 9, 11, and 12 Clive Street, Katanning, from “Commercial” to “Residential” with R12.5/25 density codes;
  - (c) rezoning Lots 1 to 3 inclusive, 1, 2, 15, 39, 197, 198, and closed road, Albion Street, Katanning, from “Town Centre” to “Residential” with R12.5/25 density codes;

- (d) reclassifying Lot 939 (Reserve 24945) Amber Street, Katanning, from "Local Reserve for Recreation and Open Space" to "Residential" Zone with R12.5 density code;
- (e) reclassifying Lot 971 (Reserve 28849) Holly Street, Katanning, from "Local Reserve for Recreation and Open Space" to "Residential" Zone with R12.5 density code;
- (f) reclassifying Lot 981 (Reserve 30999) Beeck Street, Katanning, from "Local Reserve for Recreation and Open Space" to "Residential" Zone with R12.5 density code;
- (g) reclassifying Lot 413 Bay Street and Austral Terrace, Katanning, from "Local Reserve for Recreation and Open Space" to "Light Industrial" Zone;
- (h) rezoning Lot 157 Beaufort and Bay Streets, Katanning, from "Commercial" to "Light Industrial" Zone;
- (i) rezoning Lots 158 and 165 Beaufort and Beach Streets, Katanning, from "Commercial" to "Residential" with R12.5/25 density codes;
- (j) reclassifying Lot 754 (Reserve 14400) bounded by Drove Road, Conroy Street, Dijon Street, and Anderson Street, Katanning, from "Local Reserve for Public Purposes" to "Light Industrial" Zone;
- (k) reclassifying Lots 680 and 681 (Part Reserve 9777) Piesse Street, Katanning, from "Local Reserve for Public Purposes" to "Light Industrial" Zone;
- (l) reclassifying Lots 709 and 710 (Part Reserve 9777) Cullen Street, Katanning, from "Local Reserve for Public Purposes" to "Light Industrial" Zone;
- (m) reclassifying Lots 496 and 497 (Reserve 9604) Dijon and Dapping Streets, Katanning, from "Local Reserve for Public Purposes" to "General Industrial" Zone;
- (n) reclassifying Lots 698 and 699 (Part Reserve 9777) Thomson Street, Katanning, from "Local Reserve for Public Purposes" to "General Industrial" Zone;
- (o) reclassifying Lots 760 and 761 (Part Reserve 9777) Conroy Street, Katanning, from "Local Reserve for Public Purposes" to "General Industrial" Zone;
- (p) rezoning part of Lot 131 Kobeelya Avenue, Brownie Street, Katanning, from "Special Use" Zone to "Residential" Zone with R12.5/25 density codes;
- (q) reclassifying Lot 1028 (Reserve 27669) Amherst and Beaufort Streets, Katanning, from "Local Reserve for Public Purposes", "Special Use" Zone, and "Residential" Zone with R12.5 density code to "Residential" Zone with R30 density code;
- (r) rezoning Lot 3 Great Southern Highway, Trimmer Road, and Baker Road, Katanning, from "Rural" to "Special Use" Zone, designated as "SU 8".

P. J. RAE, President.  
B. JONES, Chief Executive Officer.

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## PREMIER AND CABINET

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PC401\*

### INTERPRETATION ACT 1984

#### MINISTERIAL ACTING ARRANGEMENTS

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

Hon J. Bowler MLA to act temporarily in the office of Minister for Tourism; Racing and Gaming; Youth; Peel and the South West in the absence of the Hon M. McGowan MLA for the period 17 to 22 January 2006 (both dates inclusive).

Hon Dr J. M. Edwards MLA to act temporarily in the office of Minister for Agriculture and Forestry; the Midwest and Wheatbelt in the absence of the Hon K. M. Chance MLC for the period 8 to 13 December 2005 (both dates inclusive).

The following Ministers to act temporarily in the office of Minister for Community Development; Culture and the Arts; Women's Interests in the absence of the Hon S. M. McHale MLA—

Hon F. M. Logan MLA—23 January to 10 February 2006 inclusive

Hon J. B. D'Orazio MLA—27 February to 5 March 2006 inclusive.

Hon Dr J. M. Edwards MLA to act temporarily in the office of Minister for Fisheries; the Kimberley, Pilbara and Gascoyne in the absence of the Hon J. R. Ford MLC for the period 7 to 13 December 2005 (both dates inclusive).

This notice supersedes that published in *Government Gazette* Number 180 dated 27 September 2005.

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

## RACING, GAMING AND LIQUOR

RG401\*

### LIQUOR LICENSING ACT 1988

#### LIQUOR LICENSING APPLICATIONS

The following is a summary of applications received under the *Liquor Licensing Act 1988* 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, Hyatt Centre, 87 Adelaide Terrace, Perth, Telephone: (08) 9425 1888, or consult a solicitor or relevant industry organisation.

App. No.	Applicant	Nature of Application	Last Date for Objections
<b>APPLICATIONS FOR THE GRANT OF A LICENCE</b>			
11102	Kitson Terence Chambers and Pamela Chambers	Application for the grant of a Producer's licence in respect of premises situated in Parkerville and known as Malmalling Vineyard	13/12/2005
11103	Joondalup City Hotel Pty Ltd	Application for the grant of a Hotel Restricted licence in respect of premises situated in Joondalup and known as Joondalup City Hotel	30/12/2005
11105	Philip Snowball	Application for the grant of a Producer's licence in respect of premises situated in Witchcliffe and known as Snowball Wines	20/12/2005
11100	Ilpasto Pty Ltd	Application for the grant of a Restaurant licence in respect of premises situated in Mount Hawthorn and known as Ilpasto	14/12/2005
11099	City of Swan	Application for the grant of a Special Facility – Sports Arena licence in respect of premises situated in Middle Swan and known as Midland Sports Complex	28/12/2005
<b>APPLICATIONS FOR EXTENDED TRADING PERMITS—ONGOING EXTENDED HOURS</b>			
25523	Frenchtowers Pty Ltd	Application for the grant of an extended trading permit - ongoing extended hours, in respect of premises situated in Mingenew and known as Commercial Hotel	22/12/2005

This notice is published under section 67(5) of the *Liquor Licensing Act 1988*.

Dated: 7 December 2005.

P. MINCHIN, Director of Liquor Licensing.

## TREASURY AND FINANCE

TF401\*

### FINANCIAL ADMINISTRATION AND AUDIT ACT

#### TREASURER'S INSTRUCTIONS

Department of Treasury and Finance  
Perth, 9 December 2005.

It is notified for general information that, pursuant to section 58 of the *Financial Administration and Audit Act 1985*, the Treasurer has issued the following amended Treasurer's Instructions to be effective from the date this notice is published in the *Government Gazette*.

Treasurer's Instruction	Topic
308	Payment Records
323	Timely Payment of Accounts
954	Revaluation of Non-Current Physical Assets
955	Contributions by Owners Made to Wholly Owned Public Sector Entities
1101	Application of Australian Accounting Standards and Other Pronouncements

Treasurer's Instruction	Topic
1102	Income Statements
1103	Balance Sheets
1105	Consolidated Financial Statements

The full suite of Financial Administration Legislation (including the Treasurer's Instructions) may be purchased from the State Law Publisher and is also available for download from the Department of Treasury and Finance's homepage [www.dtf.wa.gov.au](http://www.dtf.wa.gov.au) and click on Financial Legislation—FAAA & Tis under the item Treasury.

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## WATER/SEWERAGE

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WA101\*

*CORRECTION*

**WATER AGENCIES (POWERS) ACT ACT 1984**

**NARNGULU WASTEWATER TREATMENT PLANT**

Proposal to construct a new wastewater treatment plant

We advise that the notice published in the *Government Gazette* No. 211 on Tuesday 15 November 2005, pp. 5625-5626, was published in error.

STEPHEN HORROCKS, Project Manager, Water Corporation.

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## WORKSAFE

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WS401\*

**OCCUPATIONAL SAFETY AND HEALTH ACT 1984**

**OCCUPATIONAL SAFETY AND HEALTH REGULATIONS 1996**

**EXEMPTION CERTIFICATE PURSUANT TO REGULATION 2.13**

(No. 12 of 2005)

I, Nina Lyhne, WorkSafe Western Australia Commissioner, hereby grant an exemption to Octagon-BKG Lifts from the requirements of Regulation 4.56(1)(a)(i) of the Occupational Safety and Health Regulations 1996, with respect to the need to comply with Clause 2.2 Travel of Australian Standard AS 1735.15—2002 in relation to the CIBES A 5000 Handicapped Platform Access Lift installed at the University of Notre Dame Australia's College of Education, 2-4 Mouat Street, Fremantle.

This exemption is subject to the condition that the travel distance of the lift does not exceed 4.6 metres.

Dated this 29th day of August 2005.

NINA LYHNE, WorkSafe Western Australia Commissioner.

WS402\*

**OCCUPATIONAL SAFETY AND HEALTH ACT 1984**

**OCCUPATIONAL SAFETY AND HEALTH REGULATIONS 1996**

**EXEMPTION CERTIFICATE PURSUANT TO REGULATION 2.13**

(No. 13 of 2005)

I, Nina Lyhne, WorkSafe Western Australia Commissioner, hereby grant an exemption to the University of Notre Dame Australia from the requirements of Regulation 4.56(1)(a)(i) of the Occupational Safety and Health Regulations 1996, with respect to the need to comply with Clause 2.2 Travel of Australian Standard AS 1735.15—2002 in relation to the CIBES A 5000 Handicapped Platform Access Lift installed at the University of Notre Dame Australia's College of Education, 2-4 Mouat Street, Fremantle.

This exemption is subject to the condition that the travel distance of the lift does not exceed 4.6 metres.

Dated this 29th day of August 2005.

NINA LYHNE, WorkSafe Western Australia Commissioner.

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**DECEASED ESTATES**

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

## Notice to Creditors and Claimants

John Cameron Wright, late of 38 Swanston Street, Yokine in Western Australia, Business Owner/Marketing Manager.

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 15 June 2005 at Sir Charles Gairdner Hospital, Nedlands in Western Australia, are required by the personal representative, being Carole Anne Wright to send particulars of their claims to c/o Fidock Legal, Locked Bag 10, South Perth WA 6951 within 30 days of publication of this notice after which date the personal representative may convey or distribute the assets, having regard only to the claims of which she then has notice.

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

## Notice to Creditors and Claimants

Estate of the late Elizabeth Emmaline Arney, formerly of Unit 8/232 Burke Drive, Attadale in the State of Western Australia.

Creditors and other persons having claims (to which Section 63 of the Trustees Act 1962, relates) in respect of the estate of the abovenamed deceased who died on 26 August 2005 are required to send particulars of their claims to the Executor, care of RSM Bird Cameron (see address below) within one (1) month of the date of publication of this notice after which date the Executor may convey or distribute the assets having regard only to claims of which notice has been given.

c/- RSM Bird Cameron Chartered Accountants, GPO Box R1253, Perth WA 6844

Telephone: (08) 9261 9100

Ref: S. Stritch

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**ZX403****TRUSTEES ACT 1962****DECEASED ESTATES**

## Notice to Creditors and Claimants

In the estate of Gerrit Johan Grooters, late of 22A Ardessie Street, Ardross, 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 abovenamed deceased who died on the 9th day of July 2005 are required by the personal representative Edward John Wheatley of c/- Wheatleys Legal, PO Box 1363, West Perth WA 6872 to send particulars of their claims to him by the 13th day of January 2006 after which date the personal representative may convey or distribute the assets having regard only to the claims of which he then has notice.

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**ZX404****TRUSTEES ACT 1962****DECEASED ESTATES**

## Notice to Creditors and Claimants

In the estate of Peter Robert Meadowcroft, late of 58 Weatherley Drive, Two Rocks, Western Australia, Real Estate Salesman, deceased.

Creditors and other persons having claims (to which Section 63 of the Trustees Act 1962, relates) in respect of the estate of the abovenamed deceased who died on the 10th day of October 2005 are required by the personal representative Christopher William Luxton of c/- Wheatleys Legal,

PO Box 1363, West Perth WA 6872 to send particulars of their claims to him by the 16th day of January 2006 after which date the personal representative may convey or distribute the assets having regard only to the claims of which he then has notice.

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**ZX405****TRUSTEES ACT 1962**  
**DECEASED ESTATES**

## Notice to Creditors and Claimants

Ernest John Way late of 8 Patio Place, Geraldton, Retired Farmer, deceased.

Creditors and other persons having claims (to which Section 63 of the Trustees Act 1962 relates) in respect of the estate of the deceased who died on the 17th June 2005 are required by the Executor Grant Thomas Russell of care of Martin De Haas, Commercial Lawyers Pty Ltd, PO Box 462 Wembley 6913 to send particulars of their claims to him by no later than 13 January 2006 after which date the Executor may distribute the assets having regard only to the claims on hand.

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**ZX406****TRUSTEES ACT 1962**  
**DECEASED ESTATES**

## Notice to Creditors and Claimants

Creditors and other persons having claims (to which Section 63 of the Trustees Act 1962 relates) in respect of the Estates of the undermentioned deceased persons, are required by Perpetual Trustees W.A. Ltd of 39 Hunter Street, Sydney NSW, to send particulars of such claims to the Company, by the undermentioned date, after which date the said Company may convey or distribute the assets, having regard only to the claims of which the Company then has notice.

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

Estate late Alfred John Hawkins, late of 17 Ashfield Parade, Ashfield, Retired Builder, died 12/11/05.

Estate late Norman Snell, late of Mosman Park Nursing Home, 57 Palmerston Street, Mosman Park, Retired Company Manager, died 25/8/05.

STEPHEN JOHN MAXWELL, Senior Estate Manager.  
Direct Phone (02) 9229 3419.

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**ZX407****TRUSTEES ACT 1962**  
**DECEASED ESTATES**

## Notice to Creditors and Claimants

Creditors and other persons having claims (to which Section 63 of the Trustees Act relates) in respect of the Estates of the undermentioned deceased persons are required to send particulars of their claims to me on or before the 9th January 2006 after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Bamford, Wilfred Hartley, late of Brightwater Care Group, The Village 150 Dundas Road Inglewood formerly of 12 Bayswater Street Bedford, died 15.11.2005, (DE19540689EM38)

Carruthers, Doris Eileen, late of Joondalup Health Campus 55 Belgrade Road Wanneroo, died 12.11.2005, (DE19933562EM27)

Cloke, Leila Mary, late of 51 Point Walter Road Bicton, died 06.11.2005, (DE19830905EM113)

Dodd, Olive Mary Madge, late of Oxford Gardens Aged Facility 30 Regents Park Road Joondalup formerly of 20/177 Dampier Avenue Kallaroo, died 25.07.2005, (DE19810532EM27)

Florence, Graham Ward Nichol Alexander, late of 111 Guildford Road Maylands, died 24.11.2005, (DE30308632EM27)

Gray, Catherine, late of Rockingham Nursing Home 14 Langley Street Rockingham formerly of Unit 11/21 Carter Street Hamilton Hill, died 08.08.2005, (DE19982193EM16)

MacPherson, James John, late of 10 Berehaven Avenue Thornlie, died 28.10.2005, (DE19754383EM12)

Patterson, Helen Amelia, late of Tandara Nursing Home 73 Jarrah Road Bentley, died 23.11.2005, (DE33028231EM26)

Roberts, Beatrice, late of Unit 75/37 Hastie Street Bunbury, died 21.09.2005, (DE19823067EM110)

Robinson-Byrne, Marjorie Olive, late of Alfred Carson Lodge 30 Bay Road Claremont formerly of 82 Graylands Road Claremont, died 19.02.2005, (DE33038366EM12)

Stokes, Samuel James, late of 16 Freedman Road Menora, died 16.06.2005, (DE30305859EM26)

Thomas, Frederick Charles, late of 289 McCourt Way Karratha, died 30.06.2005, (DE33043292EM213)

Wellington, Joyce Agnes, late of Cambrai Village Estate 9/85 Hester Avenue Merriwa, died 04.11.2005, (DE19820379EM26)

SHAUN WILLIAM CONLIN, A/Public Trustee,  
Public Trust Office, 565 Hay Street, Perth WA 6000.  
Telephone: 9222 6777

ZX408

**TRUSTEES ACT 1962**

**DECEASED ESTATES**

**Notice to Creditors and Claimants**

Creditors and other persons having claims (to which Section 63 of the Trustees Act 1962 relates) in respect of the estates of the undermentioned deceased persons, are required to send particulars of their claim to Plan B Trustees Limited of Level 28, 152-158 St George's Terrace Perth on or before the expiration of one month from the date of publication of this notice after which date the Company may convey or distribute the assets, having regard only to the claims of which it then has notice—

Forrest Wesley James of Unit 2/180 Kent Street Busselton, formerly of 212 Marine Terrace Busselton, Retired Forrester, died 20th November 2005.

Blaxell Ross Stanley of Airstrip Railway Street Wubin, formerly of Lot 1 Wubin Mullewa Road Wubin, Commercial Pilot, died 22nd October 2005.

Dated this 9th day of December 2005.

GARRY WOO, Manager Trustee Services.

**A L L N E W !**

WESTERN AUSTRALIA

**LOCAL GOVERNMENT ACT 1995**

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