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GOVERNMENT  
Gazette**

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## **GOVERNMENT GAZETTE**

### **PUBLISHING DETAILS FOR EASTER 2009**

**Gazettes will not be published on Friday, 10 April or  
Tuesday, 14 April 2009.**

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A Gazette will be published on Thursday, 9 April at 3.30 pm.  
Copy closes at noon on Tuesday, 7 April.

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The next Gazette published will be on Friday, 17 April at 3.30 pm.  
Copy closes at noon on Wednesday, 15 April.

# — PART 1 —

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## PROCLAMATIONS

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AA101\*

**PUBLIC TRANSPORT AUTHORITY AMENDMENT ACT 2008**

No. 42 of 2008

PROCLAMATION

Western Australia

*By His Excellency**Doctor Kenneth Comminos Michael,  
Companion of the Order of Australia,  
Governor of the State of Western Australia*

[L.S.]

KENNETH COMMINOS MICHAEL  
Governor

I, the Governor, acting under the *Public Transport Authority Amendment Act 2008* section 2(b) and with the advice and consent of the Executive Council, fix the day after the day on which this proclamation is published in the *Government Gazette* as the day on which the provisions of that Act comes into operation.

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

By Command of the Governor,

SIMON O'BRIEN, Minister for Transport.

AA102

**PARENTAL SUPPORT AND RESPONSIBILITY ACT 2008**

No. 14 of 2008

PROCLAMATION

Western Australia

*By His Excellency**Doctor Kenneth Comminos Michael,  
Companion of the Order of Australia,  
Governor of the State of Western Australia*

[L.S.]

KENNETH COMMINOS MICHAEL  
Governor

I, the Governor, acting under the *Parental Support and Responsibility Act 2008* section 2 and with the advice and consent of the Executive Council, fix the day after the day on which this proclamation is published in the *Government Gazette* as the day on which the provisions of that Act comes into operation.

Given under my hand and the Public Seal of the State on 24 March 2009.

By Command of the Governor,

R. M. McSWEENEY, Minister for Child Protection.

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Note: Under regulation 2 of the *Parental Support and Responsibility Regulations 2009*, those regulations come into operation when the *Parental Support and Responsibility Act 2008* section 42 comes into operation and under clause 2 of the *Parental Support and Responsibility (Disclosure of Information) Guidelines 2009*, those guidelines come into operation when section 5 of that Act comes into operation.

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## COMMUNITY AND CHILD SERVICES

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CX301\*

Parental Support and Responsibility Act 2008

### Parental Support and Responsibility Regulations 2009

Made by the Governor in Executive Council.

#### 1. Citation

These regulations are the *Parental Support and Responsibility Regulations 2009*.

#### 2. Commencement

These regulations come into operation on the day on which the *Parental Support and Responsibility Act 2008* section 42 comes into operation.

#### 3. Information sharing agencies

For the purposes of the definition of *information sharing agency* in section 3 of the Act, the following are prescribed —

- (a) the department principally assisting in the administration of the *School Education Act 1999* Part 4 and known as the Department of Education Services at the time that these regulations came into operation;
- (b) each hospital board under the *Hospitals and Health Services Act 1927* (including a board constituted by the Minister administering that Act);
- (c) the Western Australian Alcohol and Drug Authority established by the *Alcohol and Drug Authority Act 1974* section 5.

#### 4. Prescribed Commonwealth agencies

For the purposes of section 10(1)(c) of the Act, the following are prescribed —

- (a) the Commonwealth Services Delivery Agency established by the *Commonwealth Services Delivery Agency Act 1997* (Commonwealth) section 6 and known as Centrelink at the time that these regulations came into operation;
- (b) the department of the Commonwealth public service principally assisting in the administration of the *Social Security Act 1991* (Commonwealth) and known as the Department of Families, Housing, Community Services

and Indigenous Affairs at the time that these regulations came into operation;

- (c) the department of the Commonwealth public service principally assisting in the administration of the *Commonwealth Services Delivery Agency Act 1997* (Commonwealth) and known as the Department of Human Services at the time that these regulations came into operation;
- (d) the department of the Commonwealth public service principally assisting in the administration of the *Migration Act 1958* (Commonwealth) and known as the Department of Immigration and Citizenship at the time that these regulations came into operation;
- (e) Medicare Australia established by the *Medicare Australia Act 1973* (Commonwealth) section 4.

By Command of the Governor,

PETER CONRAN, Clerk of the Executive Council.

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CX302\*

Parental Support and Responsibility Act 2008

## **Parental Support and Responsibility (Disclosure of Information) Guidelines 2009**

Issued under the *Parental Support and Responsibility Act 2008* section 10(5) by the Chief Executive Officer.

### **1. Citation**

These guidelines are the *Parental Support and Responsibility (Disclosure of Information) Guidelines 2009*.

### **2. Commencement**

These guidelines come into operation on the day on which the *Parental Support and Responsibility Act 2008* section 5 comes into operation.

### 3. Terms used

In these guidelines —

*non-identifying information* means relevant information that —

- (a) does not identify a particular person; and
- (b) cannot be related to a particular person;

*person* means an individual.

### 4. Application of these guidelines

These guidelines apply to and in relation to disclosing relevant information, and requesting the disclosure of relevant information, under section 10 of the Act.

### 5. Scope of capacity to disclose or request relevant information

- (1) An officer of an information sharing agency may disclose relevant information if the disclosure is —
  - (a) for the purposes of, or in connection with, performing the officer's functions under the Act; or
  - (b) for the purposes of, or in connection with, the performance of functions under the Act by the person to whom the information is disclosed; or
  - (c) in response to a request for the disclosure of the information under section 10 of the Act.
- (2) An authorised officer may request the disclosure of relevant information if the disclosure is for the purposes of, or in connection with, performing functions under the Act.

### 6. Disclosing relevant information

- (1) This clause applies to an officer of an information sharing agency who proposes to disclose relevant information in the absence of a request by an authorised officer to disclose the information.
- (2) The officer may disclose the information if —
  - (a) satisfied that to do so is in the best interests of the child to whom the information relates; or
  - (b) the information is non-identifying information.
- (3) Before disclosing information other than non-identifying information, the officer must, to the extent practicable, make reasonable efforts to obtain consent to its disclosure from each person to whom the information relates unless the officer is satisfied that it would not be in the best interests of the child to obtain such consent.
- (4) A person who discloses relevant information must, to the extent practicable, make a record of the fact of the disclosure of the information.

**7. Requesting disclosure of relevant information**

- (1) This clause applies to an authorised officer who proposes to request the disclosure of relevant information.
- (2) The officer may request the disclosure of the information if —
  - (a) satisfied that to do so is in the best interests of the child to whom the information relates; or
  - (b) the information is non-identifying information.
- (3) Before requesting the disclosure of information other than non-identifying information, the officer must, to the extent practicable, make reasonable efforts to obtain consent to request its disclosure from each person to whom the information relates unless the officer is satisfied that it would not be in the best interests of the child to seek such consent.
- (4) In relation to a request by an authorised officer for the disclosure of relevant information —
  - (a) the request must, to the extent practicable, be in writing; or
  - (b) the officer must, to the extent practicable, make a record of the fact of the request being made.

**8. Consent**

- (1) Consent to disclose or to request the disclosure of relevant information that relates to a particular person may be given by the person or on behalf of the person by a parent or guardian.
- (2) Consent to disclose or to request the disclosure of relevant information must be freely and voluntarily given and must be informed.
- (3) A person's consent is informed if —
  - (a) before the consent was given, the person was informed of the nature of the information to be disclosed and the likely purposes for which it would be used or subsequently disclosed; and
  - (b) the person was capable of understanding the matters being communicated to the person and the general nature and effect of giving consent.
- (4) In relation to consent to disclose or to request the disclosure of relevant information —
  - (a) the consent must be in writing, signed by the person giving the consent and dated; or
  - (b) a record must be made of the fact of consent having been given and when and by whom it was given.
- (5) Consent to disclose or to request the disclosure of relevant information need not be consent to a particular person disclosing, or requesting the disclosure of, particular relevant information but may be general in that it may cover disclosing,

or requesting the disclosure of, any relevant information by any person for the purposes of the Act.

- (6) Consent to disclose information may be regarded as including consent to an officer requesting the disclosure of the information.

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## FISHERIES

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FI301\*

Fish Resources Management Act 1994

### **Fish Resources Management Amendment Regulations (No. 5) 2009**

Made by the Governor in Executive Council.

**1. Citation**

These regulations are the *Fish Resources Management Amendment Regulations (No. 5) 2009*.

**2. Commencement**

These regulations come into operation as follows —

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

**3. Regulations amended**

These regulations amend the *Fish Resources Management Regulations 1995*.

**4. Schedule 2 amended**

In Schedule 2 Part 2 Division 3 Subdivision 2 in the item that begins “Bream, Yellowfin” delete “350” and insert:

300

By Command of the Governor,

R. KENNEDY, Clerk of the Executive Council.



## JUSTICE

JU301\*

### CORRECTION

#### LEGAL PROFESSION ACT 2008

##### LEGAL PRACTITIONERS (DISTRICT COURT APPEALS) (CONTENTIOUS BUSINESS) DETERMINATION 2008

Errors occurred in the notice published under the Legal Practitioners (District Court Appeals) (Contentious Business) Determination 2008 on pages 2962 and 2963 of the *Government Gazette* dated 26 June 2008.

In clause 3 of the Determination, the Table referred to in the clause has been omitted.

The omission is corrected in the Determination republished in full as follows—

### Schedule

#### LEGAL PRACTICE ACT 2003

##### LEGAL PRACTITIONERS (DISTRICT COURT APPEALS) (CONTENTIOUS BUSINESS) DETERMINATION 2008

Made by the Legal Costs Committee under section 210 of the Act.

#### Citation

1. This Determination may be cited as the *Legal Practitioners District Court Appeals (Contentious Business) Determination 2008*.

#### Commencement

2. This Determination comes into operation on 1 July 2008.

#### Scale of costs

3. Subject to the provisions of the *Legal Practice Act 2003* or any successor legislation permitting a legal practitioner to make a written agreement as to costs with a client, the costs of or in relation to a party to an appeal to the District Court (inclusive of GST and counsel fees, but exclusive of other disbursements)—

(a) recoverable by one party from another party; or

(b) payable by a party to that party's own legal practitioner,

shall not exceed the amount set out in the Table to this clause.

#### Table

Fee Earner		Maximum allowable hourly and daily rates
Senior Practitioner (admitted for more than 5 years)		
(SP) <sup>α</sup>	hourly rate	\$396
Junior Practitioner (admitted for less than 5 years)		
(JP) <sup>α</sup>	hourly rate	\$275
Clerk/Paralegal	(C/PL) hourly rate	\$198
Counsel fees charged as a disbursement to practitioners or charged by in-house counsel—		
Counsel	(C)* hourly rate	\$319
	daily rate	\$3,190
Senior Counsel	(SC) <sup>†</sup> hourly rate	\$561
	daily rate	\$5,610

<sup>α</sup> The reference to Junior Practitioner or to Senior Practitioner in this Determination includes all legal practitioners even if the services were rendered in another State or Territory. Where a local practitioner has held an interstate practice certificate, the length of admission in that other jurisdiction is to be counted in assessing that practitioner's years of admission for the purposes of this Determination.

\* The reference to Counsel in this Determination means a practitioner acting as a barrister other than as Senior Counsel.

<sup>†</sup> The reference to Senior Counsel in this Determination includes reference to Queens Counsel or Senior Counsel appointed in Western Australia, or appointed in any State or Territory in Australia and whose appointment is afforded recognition by the Chief Justice of the Supreme Court of Western Australia.

**Maximum Hourly and Daily Rates**

4. (1) The hourly and daily rates set out in the Table to clause 3 are the maximum hourly and daily rates, inclusive of GST, which the Legal Costs Committee determines shall be used to calculate the dollar amounts in the scale of costs set out in the Table to clause 3.

(2) The Legal Costs Committee is aware that in the past, under a previous scale, some appeals conducted in the District Court have attracted a lower scale of costs than the same matter at first instance would have attracted if a *Legal Practitioners (Supreme Court) (Contentious Business) Determination* applied. This anomaly has been corrected in this Determination by a one off increase of a rate that is higher than it would have been if a straight 10% increase were applied.

**Table****DISTRICT COURT APPEALS SCALE OF COSTS 2008**

<b>Item</b>	<b>Description</b>	<b>Amount</b>
1.	Notice of appeal	957
2.	Proceedings in Chambers	3,190
3.	Getting up appeal for hearing	3,190
4.	Counsel fee on hearing including preparation (see Notes 1 and 2)	6,380
5.	Counsel fee for second and each successive day of hearing (see Notes 1 and 2)	3,190
6.	Attending on reserved decision	363
7.	Settling and extracting order disposing of appeal—	
	(a) With appointment	550
	(b) Without appointment	209
8.	Drawing bills of costs, copies and service	429
9.	Attending taxation (including time spent in preparing for the taxation)—per hour	275
10.	Disbursements— In addition to the fees and charges allowed under this Determination—	
	(a) As between practitioner and client, a practitioner may charge and be allowed disbursements necessarily or reasonably incurred; and	
	(b) As between party and party, a party may be allowed disbursements necessarily or reasonably incurred.	

Note 1 In cases for which the Taxing Officer considers that the briefing of Senior Counsel or of two or more counsel was reasonably necessary the allowance is the amount shown increased by 50%.

Note 2 The reference to Senior Counsel in this Determination includes reference to Queens Counsel or Senior Counsel appointed in Western Australia, or appointed in any State or Territory in Australia and whose appointment is afforded recognition by the Chief Justice of the Supreme Court of Western Australia.

Made by the Legal Costs Committee on 17 June 2008.

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**LANDS**

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LA301\*

Valuation of Land Act 1978

**Valuation of Land Amendment  
Regulations 2009**

Made by the Governor in Executive Council.

**1. Citation**

These regulations are the *Valuation of Land Amendment Regulations 2009*.

**2. Commencement**

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on 30 June 2009.

**3. Regulations amended**

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

**4. Regulation 3A replaced**

- (1) Delete regulation 3A and insert:

**3A. Prescribed percentage under paragraph (b)(vii)(II) of the definition of *unimproved value* in section 4(1)**

The prescribed percentage for the purposes of paragraph (b)(vii)(II) of the definition of *unimproved value* in section 4(1) of the Act in the local government districts of Albany, Augusta-Margaret River, Beverley, Boddington, Boyup Brook, Bridgetown, Brookton, Broomehill-Tambellup, Busselton, Bruce Rock, Capel, Carnamah, Chapman Valley, Chittering, Collie, Coorow, Corrigin, Cranbrook, Cuballing, Cunderdin, Dalwallinu, Dandaragan, Dardanup, Denmark, Donnybrook, Dowerin, Dumbleyung, Esperance, Gingin, Gnowangerup, Goomalling, Geraldton-Greenough, Harvey, Irwin, Jerramungup, Katanning,

Kellerberrin, Kent, Kojonup, Kondinin, Koorda, Kulin, Lake Grace, Manjimup, Merredin, Mingenew, Moora, Morawa, Mount Marshall, Mukinbudin, Mullewa, Murray, Nannup, Narembeen, Narrogin (Shire), Northam (Shire), Northampton, Nungarin, Perenjori, Pingelly, Plantagenet, Quairading, Ravensthorpe, Tammin, Three Springs, Toodyay, Trayning, Victoria Plains, Wagin, Wandering, Waroona, West Arthur, Westonia, Wickepin, Williams, Wongan-Ballidu, Woodanilling, Wyalkatchem, Yilgarn and York is 50%.

By Command of the Governor,

PETER CONRAN, Clerk of the Executive Council.

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## PREMIER AND CABINET

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PC301\*

Trans-Tasman Mutual Recognition (Western Australia) Act 2007

### **Trans-Tasman Mutual Recognition (Western Australia) Endorsement of Regulations Notice 2009**

Made by the Governor in Executive Council.

**1. Citation**

This notice is the *Trans-Tasman Mutual Recognition (Western Australia) Endorsement of Regulations Notice 2009*.

**2. Proposed regulations endorsed**

I, the Governor of Western Australia, being a designated person for the State of Western Australia for the purposes of the *Trans-Tasman Mutual Recognition Act 1997* (Commonwealth) as adopted by the *Trans-Tasman Mutual Recognition (Western Australia) Act 2007*, endorse the proposed regulations set out in Schedule 1 to this notice for the purposes of sections 43, 45 and 48 of that Commonwealth Act.

**Schedule 1 — Proposed regulations**

[cl. 2]

**Trans-Tasman Mutual  
Recognition Amendment  
Regulations 2009 (No. )****Select Legislative Instrument 2009 No.**

I, QUENTIN BRYCE, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following Regulations under the *Trans-Tasman Mutual Recognition Act 1997*.

Dated 2009

Governor-General

By Her Excellency's Command

KIM CARR  
Minister for Innovation, Industry, Science and Research

**Contents**

1	Name of Regulations
2	Commencement
3	Amendment of <i>Trans-Tasman Mutual Recognition Regulations 1999</i>
4	Amendment of <i>Trans-Tasman Mutual Recognition Act 1997</i>
<b>Schedule 1</b>	<b>Amendment of <i>Trans-Tasman Mutual Recognition Regulations 1999</i></b>
<b>Schedule 2</b>	<b>Amendments of <i>Trans-Tasman Mutual Recognition Act 1999</i></b>

**1 Name of Regulations**

These Regulations are the *Trans-Tasman Mutual Recognition Amendment Regulations 2009* (No. ).

**2 Commencement**

These Regulations commence on the day after they are registered.

**3 Amendment of *Trans-Tasman Mutual Recognition Regulations 1999***

Schedule 1 amends the *Trans-Tasman Mutual Recognition Regulations 1999*.

**4 Amendment of *Trans-Tasman Mutual Recognition Act 1997***

Schedule 2 amends the *Trans-Tasman Mutual Recognition Act 1997*.

**Schedule 1 Amendment of *Trans-Tasman Mutual Recognition Regulations 1999***

(regulation 3)

**[1] Regulation 5**

*omit*

30 April 2009

*insert*

30 April 2010

**Schedule 2 Amendments of *Trans-Tasman Mutual Recognition Act 1997***

(regulation 4)

**[1] Schedule 2, clause 4**

*after*

*Liquor Act 1982*, Part 11

*insert*

**Gas Appliances**

*Gas Supply Act 1996*, to the extent that it relates to regulation of liquefied petroleum gas (LPG) appliances (other than those that have been tested and certified for safe use on universal LPG) and portable, unflued cabinet heaters that are designed for indoor use and that operate on LPG using LPG gas cylinders that are self-contained within the heater

**[2] Schedule 2, clause 5**

*after*

*Gaming Machine Control Act 1991*

*insert*

**Gas Appliances**

*Gas Safety Act 1997*, to the extent that it relates to regulation of liquefied petroleum gas (LPG) appliances (other than those that have been tested and certified for safe use on universal LPG) and portable, unflued cabinet heaters that are designed for indoor use and that operate on LPG using LPG gas cylinders that are self-contained within the heater

**[3] Schedule 2, clause 6**

*after*

*Gaming Machine Act 1991*

*insert*

**Gas Appliances**

*Petroleum and Gas (Production and Safety) Act 2004*, to the extent that it relates to regulation of liquefied petroleum gas (LPG) appliances (other than those that have been tested and certified for safe use on universal LPG) and portable, unflued cabinet heaters that are designed for indoor use and that operate on LPG using LPG gas cylinders that are self-contained within the heater

**[4] Schedule 2, clause 7**

*after*

*Gaming Commission Act 1987*

*insert*

**Gas Appliances**

*Gas Standards Act 1972*, to the extent that it relates to regulation of liquefied petroleum gas (LPG) appliances (other than those that have been tested and certified for safe use on universal LPG) and portable, unflued cabinet heaters that are designed for indoor use and that operate on LPG using LPG gas cylinders that are self-contained within the heater

**[5] Schedule 2, clause 8**

*after*

*Gaming Machines Regulations 1993*

*insert*

**Gas Appliances**

*Gas Act 1997*, to the extent that it relates to regulation of liquefied petroleum gas (LPG) appliances (other than those that have been tested and certified for safe use on universal LPG) and portable, unflued cabinet heaters that are designed for indoor use and that operate on LPG using LPG gas cylinders that are self-contained within the heater

**[6] Schedule 2, clause 9**

*after*

*Gaming Control Act 1993* (to the extent that it deals with gaming machines)

*insert*

**Gas Appliances**

*Gas Act 2000*, to the extent that it relates to regulation of liquefied petroleum gas (LPG) appliances (other than those that have been tested and certified for safe use on universal LPG) and portable, unflued cabinet heaters that are designed for indoor use and that operate on LPG using LPG gas cylinders that are self-contained within the heater

**[7] Schedule 2, clause 10**

*after*

*Gaming Machine Act 1987*

*insert*

**Gas Appliances**

*Gas Safety Act 2000*, to the extent that it relates to regulation of liquefied petroleum gas (LPG) appliances (other than those that have been tested and certified for safe use on universal LPG) and portable, unflued cabinet heaters that are designed for indoor use and that operate on LPG using LPG gas cylinders that are self-contained within the heater

**[8] Schedule 2, clause 11**

*after*

*Gaming Control Act 1993*

*insert*

**Gas Appliances**

*Dangerous Goods Act*, to the extent that it relates to regulation of liquefied petroleum gas (LPG) appliances (other than those that have been tested and certified for safe use on universal LPG) and portable, unflued cabinet heaters that are designed for indoor use and that operate on LPG using LPG gas cylinders that are self-contained within the heater

**[9] Schedule 3, clause 5**

*substitute*

**5 Gas appliances**

*Gas Supply Act 1996* of New South Wales (to the extent that it relates to regulation of gas appliances that are not covered by clause 4 in Schedule 2)

*Gas Safety Act 1997* of Victoria (to the extent that it relates to regulation of gas appliances that are not covered by clause 5 in Schedule 2)

*Petroleum and Gas (Production and Safety) Act 2004* of Queensland (to the extent that it relates to regulation of gas appliances that are not covered by clause 6 in Schedule 2)



*Gas Standards Act 1972* of Western Australia (to the extent that it relates to regulation of gas appliances that are not covered by clause 7 in Schedule 2)

*Gas Act 1997* of South Australia (to the extent that it relates to regulation of gas appliances that are not covered by clause 8 in Schedule 2)

*Gas Act 2000* of Tasmania (to the extent that it relates to regulation of gas appliances that are not covered by clause 9 in Schedule 2)

*Gas Safety Act 2000* of the Australian Capital Territory (to the extent that it relates to regulation of gas appliances that are not covered by clause 10 in Schedule 2)

*Dangerous Goods Act* of the Northern Territory (to the extent that it relates to regulation of gas appliances that are not covered by clause 11 in Schedule 2)

By Command of the Governor,

PETER CONRAN, Clerk of the Executive Council.

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## TRANSPORT

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TR301\*

Public Transport Authority Act 2003

## Public Transport Authority Amendment Regulations 2009

Made by the Governor in Executive Council.

### 1. Citation

These regulations are the *Public Transport Authority Amendment Regulations 2009*.

### 2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;

- (b) the rest of the regulations — on the day on which the *Public Transport Authority Amendment Act 2008* comes into operation.

**3. Regulations amended**

These regulations amend the *Public Transport Authority Regulations 2003*.

**4. Regulation 43 amended**

In regulation 43(ga) delete “regulation 43A(4); or” and insert:

section 64A(5) of the Act; or

**5. Regulations 43A and 43B deleted**

Regulations 43A and 43B are deleted.

By Command of the Governor,

R. KENNEDY, Clerk of the Executive Council.

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## TREASURY AND FINANCE

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TF301\*

Duties Act 2008

### Duties Amendment Regulations 2009

Made by the Governor in Executive Council.

**1. Citation**

These regulations are the *Duties Amendment Regulations 2009*.

**2. Commencement**

These regulations come into operation as follows —

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

**3. Regulations amended**

These regulations amend the *Duties Regulations 2008*.

**4. Regulation 10 inserted**

After regulation 9 insert:

**10. Consideration for the grant of a lease**

- (1) In ascertaining the amount of consideration for a dutiable transaction that is the grant of a lease, the value of any substantial improvement of, or addition to, the leased property that the lessee has agreed to carry out, or has already carried out, is not included.
- (2) Subregulation (1) applies to all transactions that take place on or after 1 July 2008, whether before or after the commencement of the *Duties Amendment Regulations 2009* regulation 4.

By Command of the Governor,

PETER CONRAN, Clerk of the Executive Council.

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**WATER/SEWERAGE**

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WA301\*

**ECONOMIC REGULATION AUTHORITY ACT 2003****ECONOMIC REGULATION AUTHORITY (WATER CORPORATION TARIFFS REFERENCE) NOTICE 2009**

Published by the Economic Regulation Authority under the *Economic Regulation Authority Act 2003* section 34(1).

**1. Citation**

This notice is the *Economic Regulation Authority (Water Corporation's Tariffs Reference) Notice 2009*.

**2. Reference revoked**

(1) Under the *Economic Regulation Authority Act 2003* section 33 the Treasurer has rescinded the reference for an annual inquiry into the Water Corporation's tariffs.

(2) The particulars of the revocation are set out in Schedule 1.

**Schedule 1—Particulars of revocation****NOTICE FOR THE REVOCATION OF THE REFERENCE FOR AN ANNUAL INQUIRY INTO WATER CORPORATION'S TARIFFS**

I, Troy Buswell, Treasurer, in accordance with section 33 of the *Economic Regulation Authority Act 2003*, rescind the reference for an annual inquiry into the Water Corporation's tariffs set out in the Economic Regulation Authority (Water Corporation's Tariffs Reference) Notice 2007.

TROY BUSWELL MLA, Treasurer; Minister for Commerce;  
Science and Innovation; Housing and Works.

LYNDON ROWE, Chairman.

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**WORKSAFE**

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WS301\*

Occupational Safety and Health Act 1984

**Commission for Occupational Safety and Health  
(Appointment of Members) Instrument 2009**

Made by the Governor in Executive Council.

**1. Citation**

This instrument is the *Commission for Occupational Safety and Health (Appointment of Members) Instrument 2009*.

**2. Appointment of members under section 6(2)(d)(i) of the Act**

The following persons, having been nominated by the Chamber of Commerce and Industry of Western Australia (Inc) for appointment under the *Occupational Safety and Health Act 1984* section 6(2)(d)(i) as members of the Commission for Occupational Safety and Health, are appointed to hold office under that provision from 4 April 2009 until 3 April 2012 (both dates inclusive) —

- (a) Anne Ellen Bellamy;
- (b) Andrea Jane Roelofs.

**3. Appointment of members under section 6(2)(d)(ii) of the Act**

The following persons, having been nominated by The Trades and Labor Council of Western Australia for appointment under the *Occupational Safety and Health Act 1984* section 6(2)(d)(ii) as members of the Commission for Occupational Safety and Health, are appointed to hold office under that provision from 4 April 2009 until 3 April 2012 (both dates inclusive) —

- (a) Sylvia Joy Barrett;
- (b) Gary Norman Wood;
- (c) Linda Monica Morich.

By Command of the Governor,

R. KENNEDY, Clerk of the Executive Council.

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## — PART 2 —

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### AGRICULTURE AND FOOD

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AG401\*

**AGRICULTURE AND RELATED RESOURCES PROTECTION ACT 1976**

## APPOINTMENT AND CANCELLATION

His Excellency the Governor is pleased to appoint, pursuant to section (9)(1) of the *Agriculture and Related Resources Protection Act 1976*, Mr Anthony Kirwan as Deputy Chief Agriculture Protection Officer;

Under section (9)(1) of the *Agriculture and Related Resources Protection Act 1976*, and on the recommendation of the Minister for Agriculture and Food to cancel the appointment of Ms Jo Peters as Deputy Chief Agriculture Protection Officer.

TERRY REDMAN MLA, Minister for Agriculture and Food.

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### CONSUMER AND EMPLOYMENT PROTECTION

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CE401\*

**CONSUMER AFFAIRS ACT 1971**

## ORDER RESTRICTING THE SUPPLY OF GOODS

I, Anne Driscoll, Commissioner for Consumer Protection in the State of Western Australia—

- being satisfied that the Commonwealth Government of Australia has, by a notice dated 14 December 2004, made an order or similar instrument restricting the supply of goods described in the Schedule hereto; and
- considering it necessary in the interests of the safety of the public;
- Order pursuant to section 23R(3) of the *Consumer Affairs Act 1971*, that the supply to consumers of goods described in the Schedule is restricted in this State.

## SCHEDULE

Portable fire extinguishers: aerosol type as prescribed by the *Trade Practices Act 1974* Consumer Protection Notice No. 9 of 2004 Consumer Product Safety Standard for Portable Fire Extinguishers: Aerosol Type

Dated this 19th day of March 2009.

ANNE DRISCOLL, Commissioner for Consumer Protection.

CE402\*

**ASSOCIATIONS INCORPORATION ACT 1987**

## REINSTATEMENT

## THE MAYDAY DOG RESCUE CLUB (INC.)

Notice is hereby given that the incorporation of the above-named association has been re-instated pursuant to Section 35(4) of the *Associations Incorporation Act 1987*.

Dated: 23 March 2009.

TIM ROACH, Director, Business Services  
for Commissioner for Consumer Protection.

CE403\*

**ASSOCIATIONS INCORPORATION ACT 1987****REINSTATEMENT**

CHRISTIAN TELEVISION ASSOCIATION OF WESTERN AUSTRALIA INC.

Notice is hereby given that the incorporation of the above-named association has been re-instated pursuant to Section 35(4) of the *Associations Incorporation Act 1987*.

Dated: 23 March 2009.

TIM ROACH, Director, Business Services  
for Commissioner for Consumer Protection.

CE404\*

**ASSOCIATIONS INCORPORATION ACT 1987****REINSTATEMENT**

BETHEL (INC)

Notice is hereby given that the incorporation of the above-named association has been re-instated pursuant to Section 35(4) of the *Associations Incorporation Act 1987*.

Dated: 23 March 2009.

TIM ROACH, Director, Business Services  
for Commissioner for Consumer Protection.

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**ENERGY**


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EN401\*

**ENERGY COORDINATION ACT 1994****NOTICE UNDER SECTION 11T NOTICE OF DECISIONS.**

Notice is given that the following Licences have been amended—

Licensee:	Alinta Sales Pty Ltd
Issue Date:	27 January 2009
Address of Licensee:	12-14 The Esplanade Perth WA 6000
Classification:	Trading Licence (GTL9)
Term of Licence:	Up to and including 30 June 2010
Area Covered:	Coastal, Great Southern and Goldfields—Esperance supply area as shown in <b>(Plan ERA-GAS-007)</b> .
Amendment:	Replacement of the Gas Marketing Standard in Schedule 2, with reference to the approved Gas Marketing Code of Conduct 2008.

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Licensee:	Origin Energy Retail Ltd
Issue Date:	27 January 2009
Address of Licensee:	Level 45 Australia Square 264-278 George Street Sydney NSW 2000
Classification:	Trading Licence (GTL7)
Term of Licence:	Up to and including 8 June 2018
Area Covered:	The area as shown on the <b>(Plan ERA-GAS-003)</b> .
Amendment:	Replacement of the Gas Marketing Standard in Schedule 2, with reference to the approved Gas Marketing Code of Conduct 2008.

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Licensee:	Synergy (Electricity Retail Corporation)
Issue Date:	27 January 2009
Address of Licensee:	228 Adelaide Terrace Perth WA 6000

Classification: Trading Licence (GTL8)  
 Term of Licence: Up to and including 30 June 2017  
 Area Covered: The area equivalent to the South West Interconnected System as shown on the **(Plan ERA-GAS-005)**.  
 Amendment: Replacement of the Gas Marketing Standard in Schedule 2, with reference to the approved Gas Marketing Code of Conduct 2008.

Licensee: Wesfarmers Kleenheat Gas Pty Ltd  
 Issue Date: 27 January 2009  
 Address of Licensee: Campus Drive  
 Murdoch WA 6150  
 Classification: Trading Licence (GTL10)  
 Term of Licence: Up to and including 5 September 2011  
 Area Covered: Coastal, Goldfields—Esperance, Great Southern and Wheatbelt supply areas as shown in **(Plan ERA-GAS-008A)**.  
 Amendment: Replacement of the Gas Marketing Standard in Schedule 2, with reference to the approved Gas Marketing Code of Conduct 2008.

Licensee: WorleyParsons Asset Management Pty Limited  
 Issue Date: 27 January 2009  
 Address of Licensee: Suite 6 Esperance Business Centre  
 75 Dempster Street  
 Esperance WA 6450  
 Classification: Trading Licence (GTL11)  
 Term of Licence: Up to and including 14 March 2014  
 Area Covered: Goldfields—Esperance supply area as shown in **(Plan ERA-GAS-011)**.  
 Amendment: Replacement of the Gas Marketing Standard in Schedule 2, with reference to the approved Gas Marketing Code of Conduct 2008.

Inspection of Licence: Economic Regulation Authority  
 6th Floor  
 197 St Georges Terrace  
 Perth WA 6000  
<http://www.era.wa.gov.au>

LYNDON G. ROWE, Chairman,  
 Economic Regulation Authority.

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## JUSTICE

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JU401\*

### COURT SECURITY AND CUSTODIAL SERVICES ACT 1999

#### PERMITS DETAILS

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

Surname	First Name(s)	Permit Number	Date Permit Revoked
Blackie	Evelyn Lynette	CS8-010	20/03/2009
Choudhary	Sunil Singh	CS9-194	20/03/2009
Cooper	Dennis Stanley	CS9-102	20/03/2009
Hoddell	Linda Dianne	CS9-214	20/03/2009
Singhal	Singhal	CS8-086	20/03/2009

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

BRIAN LAWRENCE, CSCS Contract Manager.

JU402\*

**JUSTICES OF THE PEACE ACT 2004**  
**APPOINTMENTS**

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

Lee-Ann Muller of 3 Michibin Street, Wandering  
 Ian Bruce Turton of 1387 North Wandering Road, Wandering

RAY WARNES, Executive Director,  
 Court and Tribunal Services.

## LANDS

LA401\*

**TRANSFER OF LAND ACT 1893**  
**CANCELLATION OF APPOINTMENTS**

Landgate, Midland.

Landgate File: 1993-2003

His Excellency the Governor in Executive Council is pleased to—

- (a) Remove, under section 8 of the Transfer of Land Act 1893, Ian David Croasdale, Colin George Bristow and Glenn Harry Christie as Assistant Registrars of Titles.

PAUL WHYTE, A/Chief Executive.

## LOCAL GOVERNMENT

LG401\*

**LOCAL GOVERNMENT ACT 1995**  
*Shire of Derby/West Kimberley*  
**APPOINTMENT OF AUTHORISED PERSONS**

It is hereby notified for public information that Phillip Kenneth Avery and John Francis Carey, have been appointed as rangers for the Shire of Derby/West Kimberley and are duly authorised in accordance with the following Acts, Regulations and Local Laws—

Local Government Act 1995,  
 Local Government Act (Miscellaneous Provisions) 1960,  
 Caravan and Camping Grounds Act 1995 & Regulations,  
 Dog Act 1976 & Regulations,  
 Bush Fire Act 1954 & Regulations,  
 Litter Act 1979 & Regulations,  
 Shire of Derby/West Kimberley Local Laws.

Mr Kenneth McLeod is authorised as a ranger for the town of Fitzroy Crossing in the following Acts, Regulations and Local Laws—

Local Government Act 1995  
 Local Government Act (Miscellaneous Provisions) 1960  
 Caravan and Camping Grounds Act 1995 & Regulations,  
 Dog Act 1976 & Regulations,  
 Litter Act 1979 & Regulations,  
 Shire of Derby/West Kimberley Local Laws

All previous ranger appointments and authorisations are hereby cancelled.

SHANE BURGE, Chief Executive Officer.



LG402\*

**LOCAL GOVERNMENT ACT 1995***Shire of Williams***APPOINTMENT OF AUTHORISED PERSONS**

It is hereby notified for public information that the following persons—

Ryan Duff;	Ian Ball;
Sharon Wilkie;	Manuela Lenehan;
Tony Kett;	Steve Friend;
Stuart Hopwood	

Have been appointed as authorised persons in accordance with the following acts—

Local Government Act (Miscellaneous Provisions) 1960, Part XX (Ranger/Pound Keeper)  
 Local Government Act 1995, Part 3-Executive Functions of Local Government and Part 9—  
 Miscellaneous Provisions  
 Caravan and Camping Grounds Act 1995  
 Dog Act 1976 and Regulations  
 Bush Fires Act 1954 and Regulations  
 Litter Act 1979 and Regulations  
 Control of Vehicles (Off Road Areas) Act 1978 and Regulations  
 Shire of Williams Local Laws

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

Ryan Duff  
 Ian Ball;  
 Sharon Wilkie  
 Manuela Lenehan  
 Stuart Hopwood

All previous appointments are hereby cancelled.

RYAN DUFF, Chief Executive Officer.

**MARINE/MARITIME**

MX401\*

**WESTERN AUSTRALIAN MARINE ACT 1982**

BOATING PROHIBITED AREA

Harvey Dam

*Shire of Harvey*

Department for Planning and Infrastructure,  
 Fremantle WA, 27 March 2009.

Acting pursuant to the powers conferred by Section 66 of the *Western Australian Marine Act 1982*, the department hereby revokes Notice MX402 as published in the *Government Gazette* on 30th September 2005. Providing that such revocation will only apply to currently surveyed commercial vessels used by Harvey Water in construction and maintenance at Harvey Dam between 13th April and 1st May 2009.

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

MX402\*

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

RESTRICTED SPEED AREA AND WATER SKI AREA

2009 Autumn River Festival

Department for Planning and Infrastructure,  
 Fremantle WA, 27 March 2009.

Acting pursuant to the powers conferred by Section 67 of the *Western Australian Marine Act 1982* the department by this notice revokes sub-paragraph d(1)(iv) of Notice MH401 as published in the

*Government Gazette* on 25 October 1991 relating to the 8 knot speed restriction applicable from 200m downstream of Ron Courtney Island to 200m upstream of Ron Courtney Island on the Swan River.

Also, acting pursuant to the powers conferred by Regulation 48A of the *Navigable Waters Regulations 1958*, the department by this notice permits water skiing within the same designated area as stated above.

These amendments are only applicable between the hours of 12pm to 12:30pm and 2pm to 2:30pm on Sunday 5 April 2009 and are only applicable to bona fide vessels associated with the 2009 Autumn River Festival water ski display.

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

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## MINERALS AND PETROLEUM

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MP401\*

### MINING ACT 1978

#### INSTRUMENT OF EXEMPTION—EXTENSION OF PERIOD

The Minister for Mines and Petroleum, pursuant to the powers conferred by Section 19 of the *Mining Act 1978*, hereby extends the exemption granted on 13 May 2003 and published in the *Government Gazette* dated 23 May 2003 and extended on 13 April 2005 and published in the *Government Gazette* dated 22 April 2005 and extended on 14 March 2007 and published in the *Government Gazette* dated 23 March 2007 of those areas of Crown Land described in the schedule hereunder (not being private land or land that is the subject of a mining tenement or an application therefore) from Divisions 1 to 5 of Part IV of the *Mining Act 1978* for a further period of two years.

#### Schedule

All those portions of land, not being private land or land the subject of a mining tenement or application for a mining tenement, bordered 'mauve' on the plan at page 51 of Department of Mines and Petroleum File No A2025/200501 and designated 'S19/174' in Tengraph.

Area: 14,356 hectares approximately

Period of Extension: 13 May 2009 to 12 May 2011.

Dated at Perth this 16th day of March 2009.

NORMAN MOORE MLC, Minister for Mines and Petroleum.

Date: 16 March 2009.

MP402

### MINING ACT 1978

#### INTENTION TO FORFEIT

Department Mines and Petroleum,  
PERTH WA 6000.

In accordance with Regulation 50(b) of the *Mining Regulations 1981*, notice is hereby given that unless the rent due on the under mentioned licences and leases is paid on or before 24 April 2009 it is the intention of the Minister for Mines and Petroleum under the provisions of sections 96A(1) and 97(1) of the *Mining Act, 1978* to forfeit such for breach of covenant, being non-payment of rent.

TIM GRIFFIN, Director General.

Number	Holder	Mineral Field
EXPLORATION LICENCES		
09/1293	Marathon Crest Pty Ltd	Gascoyne
09/1310	Dynasty Metals Australia Ltd	Gascoyne
09/1432	Baracus Pty Ltd	Gascoyne
16/292	Heron Resources Ltd	Coolgardie
28/1752	Fraserx Pty Ltd	North East Coolgardie
28/1753	Fraserx Pty Ltd	North East Coolgardie
28/1754	Fraserx Pty Ltd	North East Coolgardie

Number	Holder	Mineral Field
<b>EXPLORATION LICENCES</b>		
37/787	Image Resources NL	Mt Margaret
51/1217	Murchison Resources Pty Ltd Accent Resources NL	Murchison
51/1218	Wilson, Scott Walter Accent Resources NL	Murchison
52/1563	All Star Minerals PLC	Peak Hill
52/1962	All Star Minerals PLC	Peak Hill
57/625	Pasine Holdings Pty Ltd	East Murchison
59/1277	Dale, Giles Rodney Scott, Gregory Robert Scott, Robert William	Yalgoo
59/1314	Broken Range NL	Yalgoo
59/1316	Broken Range NL	Yalgoo
63/1072	Swan Cove Enterprises Pty Ltd	Dundas
69/1527	Allhawk Nominees Pty Ltd	Warburton
69/1528	Allhawk Nominees Pty Ltd	Warburton
69/1541	Redstone Resources Ltd	Warburton
69/2053	Redstone Resources Ltd	Warburton
70/2635	Independence Group NL	South West
80/3610	Hydro Aluminium Western Australia Pty Ltd Bauxite Australia Pty Ltd	Kimberley
80/3621	Hydro Aluminium Western Australia Pty Ltd Bauxite Australia Pty Ltd	Kimberley
<b>RETENTION LICENCE</b>		
70/2	Quantum Holdings Pty Ltd	South West
<b>MINING LEASES</b>		
09/28	G L Global Pty Ltd	Gascoyne
15/1405	Lodur Pty Ltd	Coolgardie
16/33	Hayes Mining Pty Ltd	Coolgardie
16/217	Hayes Mining Pty Ltd	Coolgardie
24/404	Paddington Gold Pty Ltd	Broad Arrow
27/166	Boyes, Charles Joseph	North East Coolgardie
45/522	White, Darren Michael	Pilbara
45/542	Newmont Gold Exploration Pty Ltd Mount Burgess Mining NL	Pilbara
45/543	Newmont Gold Exploration Pty Ltd Mount Burgess Mining NL	Pilbara
45/544	Newmont Gold Exploration Pty Ltd Mount Burgess Mining NL	Pilbara
51/95	Wood, Robert Demay	Murchison

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## PLANNING AND INFRASTRUCTURE

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PI401\*

### PLANNING AND DEVELOPMENT ACT 2005

GREATER BUNBURY REGION SCHEME AMENDMENT 0003/41

Portion of Lot 25 Railway Road and Lot 26 Waterloo Road, Waterloo

Call for Public Submissions

The Western Australian Planning Commission (WAPC) intends to amend the Greater Bunbury Region Scheme (GBRS) for land in the local government of Dardanup and is seeking public comment.

The amendment seeks to transfer approximately 44ha of land in Waterloo from the rural zone to the industrial zone.

**Display locations**

The plans showing the proposed change and the WAPC's amendment report which explains the proposal, will be available for public inspection from Friday 27 March 2009 to Friday 26 June 2009 at each of the following places—

- |  |   |
|--|---|
| <ul style="list-style-type: none"> <li>• Western Australian Planning Commission<br/>Wellington Street, Perth</li> <li>• Department for Planning and Infrastructure,<br/>61 Victoria Street, Bunbury</li> <li>• J S Battye Library<br/>Level 3, Alexander Library Building<br/>Perth Cultural Centre</li> </ul> | Municipal offices of the— <ul style="list-style-type: none"> <li>• City of Bunbury</li> <li>• Shire of Dardanup</li> <li>• Shire of Harvey</li> <li>• Shire of Capel</li> </ul> |
|--|---|

Documents are also available from the WAPC's website [www.wapc.wa.gov.au](http://www.wapc.wa.gov.au).

**Submissions**

Any person who desires to make a submission to support, object or provide comment on any part of the proposed amendment should do so on a form 41. This submission form is available from the display locations, the amendment report and the internet.

Submissions must be lodged with the: Secretary, Western Australian Planning Commission, 61 Victoria Street, Bunbury WA 6230; on or before 5.00pm **Friday, 26 June 2009**.

Late submissions will not be considered.

TONY EVANS, Secretary,  
Western Australian Planning Commission.

**PI402\***

**PLANNING AND DEVELOPMENT ACT 2005**  
APPROVED LOCAL PLANNING SCHEME AMENDMENT  
*Shire of York*  
Town Planning Scheme No. 2—Amendment No. 33

Ref: 853/4/34/2 Pt 33

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the Shire of York local planning scheme amendment on 12 March 2009 for the purpose of amending the Scheme map by recoding lots zoned "Residential" with a split density code of R10/R30 as per the amendment map to "Residential" with an R40 density code.

P. HOOPER, Shire President.  
R. P. HOOPER, Chief Executive Officer.

**PI403\***

**PLANNING AND DEVELOPMENT ACT 2005**  
APPROVED LOCAL PLANNING SCHEME AMENDMENT  
*Shire of Murray*  
Town Planning Scheme No. 4—Amendment No. 218

Ref: 853/6/16/7 Pt 218

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the Shire of Murray local planning scheme amendment on 8 March 2009 for the purpose of—

1. Substitution of the provisions of Schedule 7—Special Development Zone relating to Lots 1, 2 and 3 of Location 17 Yunderup Road South, South Yunderup with the following—

(A) SPECIFIC LAND	(B) SPECIAL PROVISIONS RELATING TO (A)
Lot 9500 and 548 South Yunderup Road and Lots 2 and 3 Bens Road, South Yunderup	<b>1. Outline Development Plan</b> Development of the subject land shall generally be in accordance with an approved Outline Development Plan, or any variations to that plan as approved by Shire of Murray and the Western Australian Planning Commission.

(A) SPECIFIC LAND	(B) SPECIAL PROVISIONS RELATING TO (A)
	<p><b>2. Environmental Management Plans</b></p> <p><b>2.1 General</b></p> <p>The developer shall prepare Environmental Management Plans detailed in this Section to meet the following objectives—</p> <ul style="list-style-type: none"> <li>(a) to maintain and enhance the integrity, functions and values of the environment and water dependent ecosystems;</li> <li>(b) maintain and enhance the quality of surface water and groundwater so that existing and potential uses, including ecosystem maintenance, are protected;</li> <li>(c) to ensure environmental values of the Peel-Harvey Estuary are not adversely impacted by development and that development is consistent with the provisions of the Statement of Planning Policy No 2.1: The Peel-Harvey Coastal Plain Catchment and the Environmental Protection (Peel Inlet-Harvey Estuary) Policy 1992.</li> </ul> <p>The Environmental Management Plans shall be prepared to the satisfaction of the Shire of Murray on advice from other regulatory authorities as described below. Satisfactory implementation of the management plans by the proponent shall be administered through the subdivision approval process.</p> <p><b>2.2 Urban Water Management Strategy</b></p> <p>Prior to adoption of the Outline Development Plan, an Urban Water Management Strategy (UWMS) shall be prepared to the satisfaction of the Shire of Murray, on advice from the Environmental Protection Authority and Department of Water to adequately demonstrate protection of water resources, provide street drainage and ensure that the rate, quantity and quality of water leaving the site will not adversely impact on the Peel Inlet—Harvey Estuary, wetlands in the vicinity of the subject land, or adversely affect groundwater quality, and that the hydrological balance and ecological flows are demonstrated.</p> <p><b>2.3 Lake Management Plan</b></p> <p>Prior to adoption of the Outline Development Plan, a Lake Management Plan for the feature lake (central open space) shall be prepared to the satisfaction of the Shire of Murray, on advice from the Department of Water, to adequately demonstrate that water quantity and quality and the management and maintenance of the water body, is at sustainable and appropriate levels.</p> <p><b>2.4 Wetland Management Plan</b></p> <p>Prior to adoption of the Outline Development Plan, a Wetland Management Plan over the wetland areas and buffers shall be prepared to the satisfaction of the Shire of Murray, on advice from the Department of Environment and Conservation (DEC), to adequately demonstrate protection of the wetland area and buffer in an appropriate and sustainable manner.</p> <p><b>2.5 Conservation Area Management Plan</b></p> <p>Prior to adoption of the Outline Development Plan, a Conservation Area Management Plan over the estuary foreshore reserve adjoining the subject Lots and interface to the Peel Region Park shall be prepared to the satisfaction of the Shire of Murray, on advice from the DEC to adequately demonstrate protection of the estuary foreshore reserve and Peel Regional Park in an appropriate and sustainable manner.</p> <p><b>2.6 Noise Management Plan</b></p> <p>Prior to adoption of the Outline Development Plan, a Noise Management Plan shall be prepared and implemented to the satisfaction of the WAPC, on advice from the Shire of Murray and DEC to adequately demonstrate protection of the residences from potential noise impacts from traffic on the Perth Bunbury Highway.</p> <p><b>2.7 Fire Management Plan</b></p> <p>Prior to adoption of the Outline Development Plan, a Fire Management Plan shall be prepared for the subject land to the satisfaction of the Shire of Murray, on advice from the Fire and Emergency Services Authority and DEC to adequately demonstrate reduction of the threat to residents and fire fighters in the event of bush fire within or near the site.</p>

(A) SPECIFIC LAND	(B) SPECIAL PROVISIONS RELATING TO (A)
	<p><b>2.8 Urban Water Management Plan</b> Prior to final subdivision approval (issue of clearances), an Urban Water Management Plan for the subject stage of subdivision shall be prepared and implemented to the satisfaction of the Shire of Murray, on advice from the Department of Water, to adequately demonstrate protection of water resources, enhance the living environment for the community, provide street drainage and ensure that the rate, quantity and quality of water leaving the site will not adversely impact on the Peel Inlet—Harvey Estuary, wetlands in the vicinity of the subject land, groundwater quality or the New Perth Bunbury Highway.</p> <p><b>2.9 Mosquito Management Plan</b> Prior to final subdivision approval (issue of clearances), a Mosquito Management Plan shall be prepared and implemented to the satisfaction of the Shire of Murray, on advice from the DEC to adequately identify mosquito nuisance, public health risks and management strategies.</p> <p><b>2.10 Acid Sulphate Soils and Dewatering Management Plan</b> Prior to commencement of subdivision works, an Acid Sulphate Soils and Dewatering Management Plan shall be prepared to the satisfaction of the Shire of Murray, on advice from the DEC for the subject land, to adequately identify 'actual' and 'potential' Acid Sulphate Soils and to determine appropriate management strategies for these.</p> <p><b>2.11 Construction Management Plan</b> Prior to commencement of subdivision works, a Construction Management Plan shall be prepared for the subject land to the satisfaction of the Shire of Murray, on advice from the DEC to adequately demonstrate protection of remnant vegetation, fauna and their associated habitat during construction.</p> <p><b>2.12 Flora and Fauna Management Plan</b> Prior to adoption of the Outline Development Plan a Flora and Fauna Survey shall be undertaken to the satisfaction of the Shire of Murray on the advice from the DEC. If any protected and/or threatened fauna or declared rare flora are identified through these surveys, a Flora and Fauna Management Plan shall be prepared to the satisfaction of the Shire of Murray on advice from the DEC to adequately demonstrate management protection or relocation of specially protected and/or threatened fauna, or declared rare flora within the development area.</p> <p><b>2.13 Ethnographic and Archaeological Survey</b> Prior to commencement of subdivision works, an ethnographic and archaeological survey will be undertaken and the findings reported to the Shire of Murray and the Department of Indigenous Affairs.</p> <p><b>3. Requirements</b> 3.1 Notwithstanding the provisions of Clause 6.8 of the Scheme, the Outline Development Plan shall include the following details—</p> <ul style="list-style-type: none"> <li>(a) the area to which the Outline Development Plan applies;</li> <li>(b) key opportunities and constraints of the Outline Development Plan Area, including landform, topography, hydrology, landscape, vegetation, soils, conservation and heritage values, ownership, land use, roads and public transport and services;</li> <li>(c) the planning context for the Outline Development Plan Area, including the regional and neighbourhood structure, relevant strategies, Scheme provisions and policies and where appropriate, indicating how the proposed Outline Development Plan is to be integrated into the surrounding area;</li> <li>(d) proposed major land uses, in particular residential areas, public open space, school sites, civic and community uses, commercial uses (including the location and hierarchy of commercial centres), mixed use, and mixed business uses;</li> </ul>

(A) SPECIFIC LAND	(B) SPECIAL PROVISIONS RELATING TO (A)
	<p>(e) estimates of future lots, dwellings, population and commercial floor space;</p> <p>(f) provision for major infrastructure, eg. Main drainage, sewerage, water supply and other key infrastructure services;</p> <p>(g) the proposed road network and hierarchy, and bicycle and pedestrian networks;</p> <p>(h) buffers or other similar treatment at the interface between development cells and main/arterials or adjoining land including the Perth-Bunbury Highway; and</p> <p>(i) such other information as may be required by Shire of Murray.</p> <p>3.2 The proponent shall prepare a Detailed Area Plan (DAP) for any Village Centre Precinct or Mixed Business area identified on the required Outline Development Plan and for lots with an area less than 350 square metres. The DAPs shall be generally processed in accordance with the procedures outlined in Clause 6.14.2.15 of the Scheme.</p> <p>3.3 Council may waive the requirement to advertise a Detailed Area Plan pursuant to Clause 6.14.2.15.3 where the land subject of the Detailed Area Plan is in single ownership and the adjoining land is in the same ownership.</p> <p>3.4 Subdivision plans approved by the Commission which identify residential codings consistent with the principles outlined on the ODP shall be deemed to be a modification to the ODP.</p> <p>3.5 The Shire of Murray shall maintain an up to date plan identifying R-codings within the ODP area.</p> <p>3.6 An ODP may to the extent that it does not conflict with a Scheme, impose a classification on the land included in it by reference to reserves, zones or the Residential Design Codes, and the local government is to have due regard to such reserves, zones or Residential Design Codes when recommending subdivision or approving development of land within the ODP area.</p> <p>3.7 Notification of prospective purchasers by way of memorial on the title of proposed lots is to be undertaken to advise that the predominant mosquito species is known to carry Ross River virus and other diseases.</p> <p>3.8 The Outline Development Plan shall incorporate the density targets of—</p> <p>(a) 20 dwelling units per site hectare; and</p> <p>(b) 25 to 30 dwelling units per site hectare within 400 metres of the village centre.</p> <p>Relevant information is to be provided with subdivision applications to demonstrate that the density targets have been addressed.</p> <p>3.9 The street system depicted on the Outline Development Plan and in any subdivision applications shall be designed to maximise—</p> <p>(a) ground legibility and permeability; and</p> <p>(b) the provision of streets with a north-south and east-west orientation.</p>

2. Modifying Clause 6.8.12 of the Scheme Text to read—  
An Outline Development Plan may be amended in whole or in part by—
  - (1) a subsequent ODP made in accordance with the provisions of clauses 6.8.7 and 6.8.8; or
  - (2) such means as the Council deems appropriate, provided that any modification which, in the opinion of the Council and the Western Australian Planning Commission, is substantial, shall be dealt with by procedures similar to those for the approval of the Plan.
3. Amending the preamble to the Table No 1—Zoning Table by adding ‘Special Development—Refer to Schedule 7’ after ‘Special Residential’.

4. Adding a Special Control Area designation to the Scheme Map over Lot 9500 and the relevant portion of Lot 548 South Yunderup Road and the relevant portions of Lots 2 and 3 Bens Road, South Yunderup, to be labelled as DCA3.

N. H. NANCARROW, Shire President.  
D. UNSWORTH, Chief Executive Officer.

PI404\*

**PLANNING AND DEVELOPMENT ACT 2005**

**INSTRUMENT OF DELEGATION**

**DEL 2009/01 POWERS OF OFFICERS**

Notice of delegation to officers of certain powers and functions of the  
Western Australian Planning Commission

**Preamble**

Under section 16 of the *Planning and Development Act 2005* (the Act) the Western Australian Planning Commission (the WAPC) may, by resolution published in the *Government Gazette*, delegate any function to a member, committee or officer of the WAPC or to a public authority or a member or officer of a public authority.

In accordance with section 16(4) of the Act, a reference in this instrument to a function or a power of the WAPC includes and extends to, without limitation or restriction, any of the powers, privileges, authorities, discretions, duties and responsibilities vested in or conferred upon the WAPC by the Act or any other written law as the case requires.

**Resolution under section 16 of the Act (delegation)**

On 24 March 2009, pursuant to section 16 of the Act, the WAPC RESOLVED—

- A TO DELEGATE its powers and functions as set out in column 1 of the schedule, to officers of the WAPC and the person or persons from time to time holding or acting in the offices in the department charged with the administration of the *Planning and Development Act 2005*, as specified in column 2 of the schedule, subject to the conditions specified in column 3 of the schedule;
- B TO REVOKE its delegation of powers and functions to various eligible persons and bodies as detailed in the notice entitled "DEL 2008/06 Powers of officers" published in the *Government Gazette* on 19 December 2008 (pages 5423-5438).

TONY EVANS, Secretary,  
Western Australian Planning Commission.

**PLANNING AND DEVELOPMENT ACT 2005**

**Instrument of Delegation**

**SCHEDULE 1—Powers regarding the preparation of planning schemes and interim development orders under the Act**

<b>Column 1 (Powers and Functions)</b>	<b>Column 2 (Officers)</b>	<b>Column 3 (Conditions)</b>
1.1. Power to recommend to the Minister for Planning that approval be granted or withheld with respect to Interim Development Orders and extensions thereto made or extended pursuant to section 102 of the Act.	<ul style="list-style-type: none"> <li>• Chairman of the WAPC</li> <li>• Director General 20020084</li> <li>• Executive Director Statutory Planning 20050095</li> </ul>	—
1.2. Power to give consent to advertise amendments to local planning schemes in cases where such determination rests with the WAPC under the provisions of the <i>Town Planning Regulations 1967</i> , and to determine the periods for which those amendments are advertised where variations to the 42 day period prescribed by regulation 25(fa) are justified.	<ul style="list-style-type: none"> <li>• Director Metropolitan North Planning Program 20050047</li> <li>• Director Metropolitan Central Planning Program 20080234</li> <li>• Director Metropolitan South Planning Program 20080235</li> <li>• Director Schemes and Appeals 20070191</li> <li>• Team Leader Statutory Planning (Metropolitan North East) 20040096</li> <li>• Team Leader Statutory Planning (Metropolitan North West) 20040097</li> <li>• Team Leader Statutory Planning (Metropolitan Central) 20020243</li> </ul>	Confined to matters related to land within the Perth Metropolitan Region.
1.3. Power to recommend to the Minister for Planning as to whether or not requests for extensions of time for the consideration of submissions or to undertake		



Column 1 (Powers and Functions)	Column 2 (Officers)	Column 3 (Conditions)
<p>modifications to an amendment prior to advertising be granted pursuant to regulation 14(4) or 25AA(6) of the <i>Town Planning Regulations 1967</i>; or power to approve requests for extensions of time for the consideration of submissions pursuant to regulation 17(1) of the <i>Town Planning Regulations 1967</i> where such power is conferred upon the WAPC.</p> <p>1.4. Power pursuant to regulation 15(5) of the <i>Town Planning Regulations 1967</i> to specify a lesser period than three months from the date of advertisement in which submissions may be made where a scheme is a development scheme or a scheme that does not involve the zoning or classification of land, where such power is conferred upon the WAPC.</p> <p>1.5. Power to recommend to the Minister for Planning that amendments to local planning schemes be given final approval under the provisions of regulations 19 and 25(1)(g) of the <i>Town Planning Regulations 1967</i> where—</p> <p>(i) no submissions were made during the advertising period, or where that recommendation accords with the local government's determination of any submissions received, and</p> <p>(ii) the recommendation does not substantially modify the local government's resolution deciding to amend the local planning scheme.</p>	<ul style="list-style-type: none"> <li>• Team Leader Statutory Planning (Metropolitan South West) 20040095</li> <li>• Team Leader Statutory Planning (Metropolitan South East) 20040094</li> <li>• Team Leader Statutory Planning (Schemes and Amendments) 20040098</li> <li>• Executive Director State and Regional Policy 20040336</li> <li>• Director Northern Regions 20020162</li> <li>• Director Central Regions 20080239</li> <li>• Director Southern Regions 20040345</li> <li>• Team Leader Statutory Planning Northern Regions 20020282</li> <li>• Team Leader Statutory Planning Central Regions 20020174</li> <li>• Team Leader Statutory Planning Southern Regions 20020163</li> <li>• Team Leader Statutory Planning Great Southern 20020177</li> <li>• Team Leader Strategic Planning Northern Regions 20020307</li> <li>• Team Leader Strategic Planning Central Regions 20070222</li> <li>• Team Leader Strategic Planning Southern Regions 20020446</li> <li>• Director South West Planning Program 20020142</li> <li>• Team Leader Statutory Planning 20020143</li> <li>• Senior Project Planner 20020144</li> <li>• Director Peel Planning Program 20080158</li> <li>• Team Leader Peel Region 20020182</li> <li>• Team Leader Peel Region Scheme 20080159</li> </ul>	<p>Confined to matters related to land within the Kimberley, Pilbara, Gascoyne, Mid-West, Goldfields-Esperance, Wheatbelt and Great Southern regions.</p> <p>Confined to matters related to land within the South West Region of the State.</p> <p>Confined to matters related to land within the Peel Region of the State.</p>
<p>1.6. Power to provide comment on and grant approval to plans known generally as outline development plans, structure plans and similar plans, and to planning policies and similar documents or amendments thereto, requiring the approval or endorsement of the WAPC pursuant to the provisions of a local planning scheme.</p> <p>1.7. Power to provide comments or advice on behalf of the WAPC to a local government or a redevelopment authority where a provision of a local planning scheme or a redevelopment scheme requires comments from the WAPC.</p>	<ul style="list-style-type: none"> <li>• Chairman of the WAPC</li> <li>• Director General 20020084</li> <li>• Executive Director Statutory Planning 20050095</li> <li>• Director Metropolitan North Planning Program 20050047</li> <li>• Director Metropolitan Central Planning Program 20080234</li> <li>• Director Metropolitan South Planning Program 20080235</li> <li>• Director Schemes and Appeals 20070191</li> <li>• Team Leader Statutory Planning (Metropolitan North East) 20040096</li> </ul>	<p>—</p> <p>Confined to matters related to land within the Perth Metropolitan Region</p>

Column 1 (Powers and Functions)	Column 2 (Officers)	Column 3 (Conditions)
1.8. Power pursuant to Regulation 22 of the <i>Town Planning Regulations 1967</i> to endorse local planning scheme and local planning scheme amendment documents for submission to the Minister for Planning.	<ul style="list-style-type: none"> <li>• Team Leader Statutory Planning (Metropolitan North West) 20040097</li> <li>• Team Leader Statutory Planning (Metropolitan Central) 20020243</li> <li>• Team Leader Statutory Planning (Metropolitan South West) 20040095</li> <li>• Team Leader Statutory Planning (Metropolitan South East) 20040094</li> <li>• Team Leader Statutory Planning (Schemes and Amendments) 20040098</li> </ul>	
	<ul style="list-style-type: none"> <li>• Executive Director State and Regional Policy 20040336</li> <li>• Director Northern Regions 20020162</li> <li>• Director Central Regions 20080239</li> <li>• Director Southern Regions 20040345</li> <li>• Team Leader Statutory Planning Northern Regions 20020282</li> <li>• Team Leader Statutory Planning Central Regions 20020174</li> <li>• Team Leader Statutory Planning Southern Regions 20020163</li> <li>• Team Leader Statutory Planning Great Southern 20020177</li> <li>• Team Leader Strategic Planning Northern Regions 20020307</li> <li>• Team Leader Strategic Planning Central Regions 20070222</li> <li>• Team Leader Strategic Planning Southern Regions 20020446</li> </ul>	Confined to matters related to land within the Kimberley, Pilbara, Gascoyne, Mid-West, Goldfields-Esperance, Wheatbelt and Great Southern regions.
	<ul style="list-style-type: none"> <li>• Director South West Planning Program 20020142</li> <li>• Team Leader Statutory Planning 20020143</li> <li>• Senior Project Planner 20020144</li> </ul>	Confined to matters related to land within the South West Region of the State.
	<ul style="list-style-type: none"> <li>• Director Peel Planning Program 20080158</li> <li>• Team Leader Peel Region 20020182</li> <li>• Team Leader Peel Region Scheme 20080159</li> </ul>	Confined to matters related to land within the Peel Region of the State.
1.9. All functions of the WAPC as set out in section 126 of the Act	<ul style="list-style-type: none"> <li>• Chairman of the WAPC</li> <li>• Director General 20020084</li> <li>• Executive Director Statutory Planning 20050095</li> </ul>	
	<ul style="list-style-type: none"> <li>• Executive Director State and Regional Policy 20040336</li> </ul>	Confined to matters related to land within the Kimberley, Pilbara, Gascoyne, Mid-West, Goldfields-Esperance, Wheatbelt and Great Southern regions.

Column 1 (Powers and Functions)	Column 2 (Officers)	Column 3 (Conditions)
	<ul style="list-style-type: none"> <li>• Director Metropolitan North Planning Program 20050047</li> <li>• Director Metropolitan Central Planning Program 20080234</li> <li>• Director Metropolitan South Planning Program 20080235</li> </ul>	Confined to matters related to land within the Perth Metropolitan region.
	<ul style="list-style-type: none"> <li>• Director Peel Planning Program 20080158</li> </ul>	Confined to matters related to land within the Peel Region of the State.
	<ul style="list-style-type: none"> <li>• Director South West Planning Program 20020142</li> </ul>	Confined to matters related to land within the South West Region of the State.

**SCHEDULE 2—Powers regarding subdivision applications and other applications under Part 10 of the Act**

Column 1	Column 2	Column 3
2.1. Power to determine all applications to the WAPC under Part 10 of the Act where such determination is in accordance with predetermined policies (if any) of the WAPC.	<ul style="list-style-type: none"> <li>• Chairman of the WAPC</li> <li>• Director General 20020084</li> <li>• Executive Director Statutory Planning 20050095</li> </ul>	—
2.2. Power, with respect to applications to the WAPC under Division 2 of Part 10 of the Act determined by or on behalf of the WAPC, to advise applicants that a revised plan of subdivision is considered to contain amendments that are minor and not so significant so as to amount to a significantly different proposal in circumstances where a revised plan does not materially affect the decision given by or on behalf of the WAPC.	<ul style="list-style-type: none"> <li>• Director Metropolitan North Planning Program 20050047</li> <li>• Director Metropolitan Central Planning Program 20080234</li> <li>• Director Metropolitan South Planning Program 20080235</li> <li>• Director Schemes and Appeals 20070191</li> <li>• Team Leader Statutory Planning (Metropolitan North East) 20040096</li> <li>• Team Leader Statutory Planning (Metropolitan North West) 20040097</li> <li>• Team Leader Statutory Planning (Metropolitan Central) 20020243</li> <li>• Team Leader Statutory Planning (Metropolitan South West) 20040095</li> <li>• Team Leader Statutory Planning (Metropolitan South East) 20040094</li> <li>• Team Leader Statutory Planning (Schemes and Amendments) 20040098</li> </ul>	Confined to matters related to land within the Perth Metropolitan Region.
2.3. Power pursuant to section 144(2) of the Act to determine requests for reconsideration but only in respect of decisions made by an officer under delegated power and where the recommendation is to approve the request and where approval to the reconsideration would not be inconsistent with WAPC policy or where the recommendation is to refuse the request on the basis that it is clearly contrary to WAPC policy.		
2.4. Power to determine requests for variations to plans of subdivision where WAPC approval is required pursuant to the provisions of an approved local planning scheme.	<ul style="list-style-type: none"> <li>• Executive Director State and Regional Policy 20040336</li> <li>• Director Northern Regions 20020162</li> <li>• Director Central Regions 20080239</li> <li>• Director Southern Regions 20040345</li> <li>• Team Leader Statutory Planning Northern Regions 20020282</li> <li>• Team Leader Statutory Planning Central Regions 20020174</li> </ul>	Confined to matters related to land within the Kimberley, Pilbara, Gascoyne, Mid-West, Goldfields-Esperance, Wheatbelt and Great Southern regions.
2.5. In accordance with section 153 of the Act, power to grant approval for an applicant to pay to the relevant local government a sum of money in lieu of land being set aside for public open space that represents the value of that portion in circumstances where the WAPC has approved a plan of subdivision upon the condition that such land be set aside for public open space.		

Column 1	Column 2	Column 3
	<ul style="list-style-type: none"> <li>• Team Leader Statutory Planning Southern Regions 20020163</li> <li>• Team Leader Statutory Planning Great Southern 20020177</li> <li>• Team Leader Strategic Planning Northern Regions 20020307</li> <li>• Team Leader Strategic Planning Central Regions 20070222</li> <li>• Team Leader Strategic Planning Southern Regions 20020446</li> </ul>	
	<ul style="list-style-type: none"> <li>• Director South West Planning Program 20020142</li> <li>• Team Leader Statutory Planning 20020143</li> <li>• Senior Project Planner 20020144</li> </ul>	Confined to matters related to land within the South West Region of the State..
	<ul style="list-style-type: none"> <li>• Director Peel Planning Program 20080158</li> <li>• Team Leader Peel Region 20020182</li> <li>• Team Leader Peel Region Scheme 20080159</li> </ul>	Confined to matters related to land within the Peel Region of the State.
<p>2.6. Power to request the Minister for Planning to approve the WAPC disregarding the advice of the Swan River Trust in whole or in part in relation to the approval of development of land within the Riverbank or Development Control Area as defined under the <i>Swan and Canning Rivers Management Act 2006</i> where the determining authority is the WAPC.</p>	<ul style="list-style-type: none"> <li>• Chairman of the WAPC</li> <li>• Director General 20020084</li> <li>• Executive Director Statutory Planning 20050095</li> <li>• Director Metropolitan North Planning Program 20050047</li> <li>• Director Metropolitan Central Planning Program 20080234</li> <li>• Director Metropolitan South Planning Program 20080235</li> <li>• Director Schemes and Appeals 20070191</li> <li>• Team Leader Statutory Planning (Metropolitan North East) 20040096</li> <li>• Team Leader Statutory Planning (Metropolitan North West) 20040097</li> <li>• Team Leader Statutory Planning (Metropolitan Central) 20020243</li> <li>• Team Leader Statutory Planning (Metropolitan South West) 20040095</li> <li>• Team Leader Statutory Planning (Metropolitan South East) 20040094</li> <li>• Team Leader Statutory Planning (Schemes and Amendments) 20040098</li> </ul>	—
<p>2.7. Power to request the Minister for Planning to approve the WAPC disregarding the advice of the Swan Valley Planning Committee in whole or in part in relation to the approval of development of land within the Swan Valley Planning Act Area where the determining authority is the WAPC, in accordance with section 40(4) of the Act</p>	<ul style="list-style-type: none"> <li>• Chairman of the WAPC</li> <li>• Director General 20020084</li> <li>• Executive Director Statutory Planning 20050095</li> <li>• Director Metropolitan North Planning Program 20050047</li> <li>• Director Metropolitan Central Planning Program 20080234</li> <li>• Director Metropolitan South Planning Program 20080235</li> </ul>	—

Column 1	Column 2	Column 3
2.8. Power to make recommendations to the Minister for Planning in relation to requests from local governments to expend monies paid by subdividing land owners in lieu of setting aside free of cost to the Crown, areas of land for public open space, where such recommendations are in accordance with WAPC policy.	<ul style="list-style-type: none"> <li>Chairman of the WAPC</li> <li>Director General 20020084</li> <li>Executive Director Statutory Planning 20050095</li> </ul>	—
	<ul style="list-style-type: none"> <li>Executive Director State and Regional Policy 20040336</li> </ul>	Confined to matters related to land within the Kimberley, Pilbara, Gascoyne, Mid-West, Goldfields-Esperance, Wheatbelt and Great Southern regions.

### SCHEDULE 3—Powers under other legislation

Column 1	Column 2	Column 3
3.1. Power to determine applications and other matters lodged with the WAPC for decision under the provisions of the <i>Strata Titles Act 1985</i> or the provisions of any strata or survey-strata scheme where any such determination is in accordance with predetermined policies (if any) of the WAPC.	<ul style="list-style-type: none"> <li>Chairman of the WAPC</li> <li>Director General 20020084</li> <li>Executive Director Statutory Planning 20050095</li> </ul>	—
3.2. Power to certify, in accordance with section 40 of the <i>Liquor Control Act 1988</i> , with respect to the acceptability of a proposal in terms of relevant existing approvals, written laws relating to planning, schemes and WAPC policy.	<ul style="list-style-type: none"> <li>Director Metropolitan North Planning Program 20050047</li> <li>Director Metropolitan Central Planning Program 20080234</li> <li>Director Metropolitan South Planning Program 20080235</li> <li>Director Schemes and Appeals 20070191</li> <li>Team Leader Statutory Planning (Metropolitan North East) 20040096</li> <li>Team Leader Statutory Planning (Metropolitan North West) 20040097</li> <li>Team Leader Statutory Planning (Metropolitan Central) 20020243</li> <li>Team Leader Statutory Planning (Metropolitan South West) 20040095</li> <li>Team Leader Statutory Planning (Metropolitan South East) 20040094</li> <li>Team Leader Statutory Planning (Schemes and Amendments) 20040098</li> </ul>	Confined to matters related to land within the Perth Metropolitan Region.
3.3. Power pursuant to sections 52 and 85 of the <i>Land Administration Act 1997</i> to approve plans of survey where in accordance with predetermined policies (if any) of the WAPC.		
3.4. Authority to advise the Minister for Planning when the Minister undertakes the role of the WAPC in relation to the approval of the lease or subdivision of land pursuant to Part 10 of the <i>Planning and Development Act 2005</i> , within areas the subject of a redevelopment act and planning scheme and under the control of a redevelopment authority		
3.5. Power to determine applications for development approval made under Division 5 of Part 3 of the <i>Perry Lakes Redevelopment Act 2005</i> but only where those determinations are not inconsistent with an approved redevelopment plan that relates to the land.	<ul style="list-style-type: none"> <li>Executive Director State and Regional Policy 20040336</li> <li>Director Northern Regions 20020162</li> <li>Director Central Regions 20080239</li> <li>Director Southern Regions 20040345</li> <li>Team Leader Statutory Planning Northern Regions 20020282</li> <li>Team Leader Statutory Planning Central Regions 20020174</li> <li>Team Leader Statutory Planning Southern Regions 20020163</li> </ul>	Confined to matters related to land within the Kimberley, Pilbara, Gascoyne, Mid-West, Goldfields-Esperance, Wheatbelt and Great Southern regions.
3.6. Power to execute and accept the benefit of easements in gross, covenants in gross, records on title and other instruments for dealings in land for subdivisions, strata subdivisions and developments in accordance with any applicable policy and legislation.		

Column 1	Column 2	Column 3
	<ul style="list-style-type: none"> <li>• Team Leader Statutory Planning Great Southern 20020177</li> <li>• Team Leader Strategic Planning Northern Regions 20020307</li> <li>• Team Leader Strategic Planning Central Regions 20070222</li> <li>• Team Leader Strategic Planning Southern Regions 20020446</li> </ul>	
	<ul style="list-style-type: none"> <li>• Director of South West Planning Program 20020142</li> <li>• Team Leader Statutory Planning 20020143</li> <li>• Senior Project Planner 20020144</li> </ul>	Confined to matters related to land within the South West Region of the State.
	<ul style="list-style-type: none"> <li>• Director Peel Planning Program 20080158</li> <li>• Team Leader Peel Region 20020182</li> <li>• Team Leader Peel Region Scheme 20080159</li> </ul>	Confined to matters related to land within the Peel Region of the State.
3.7. Power to determine whether or not a proposal is likely to have a significant effect on the environment pursuant to section 38(1) of the <i>Environmental Protection Act 1986</i> and to refer such proposal to the Environmental Protection Authority.	<ul style="list-style-type: none"> <li>• Chairman of the WAPC</li> <li>• Director General 20020084</li> <li>• Executive Director Statutory Planning 20050095</li> </ul>	—
	<ul style="list-style-type: none"> <li>• Executive Director State and Regional Policy 20040336</li> <li>• Director State Strategic Policy 20030054</li> <li>• Director Northern Regions 20020162</li> <li>• Director Central Regions 20080239</li> <li>• Director Southern Regions 20040345</li> </ul>	Confined to matters related to land within the Kimberley, Pilbara, Gascoyne, Mid-West, Goldfields-Esperance, Wheatbelt and Great Southern regions.

#### SCHEDULE 4—Power to endorse documents

Column 1	Column 2	Column 3
4.1. Power to endorse the following classes of approval that may be granted pursuant to Part 10 of the Act—	<ul style="list-style-type: none"> <li>• Chairman of the WAPC</li> <li>• Secretary of the WAPC</li> <li>• Director General 20020084</li> <li>• Executive Director Statutory Planning 20050095</li> </ul>	—
<p>(i) diagrams and plans of survey and deposited plans submitted in accordance with an earlier approved plan of subdivision or amalgamation; and</p> <p>(ii) any other documents relating to leases, licences, transfers, conveyances and mortgages, easements, memorials on title and other dealings in land,</p> <p>submitted for formal endorsement, subject to prior compliance with all relevant conditions (if any) affixed as a condition of approval or waiver of conditions pursuant to 4.3.</p>	<ul style="list-style-type: none"> <li>• Director Metropolitan North Planning Program 20050047</li> <li>• Director Metropolitan Central Planning Program 20080234</li> <li>• Director Metropolitan South Planning Program 20080235</li> <li>• Director Schemes and Appeals 20070191</li> <li>• Team Leader Statutory Planning (Metropolitan North East) 20040096</li> <li>• Team Leader Statutory Planning (Metropolitan North West) 20040097</li> </ul>	Confined to matters related to land within the Perth Metropolitan Region.
4.2. Power pursuant to section 25B of the <i>Strata Titles Act 1985</i> to endorse survey-strata plans or plans or re-subdivision or consolidation for a survey-strata scheme submitted for formal endorsement, subject to	<ul style="list-style-type: none"> <li>• Team Leader Statutory Planning (Metropolitan Central) 20020243</li> <li>• Team Leader Statutory Planning (Metropolitan South West) 20040095</li> </ul>	

Column 1	Column 2	Column 3
<p>prior compliance with all relevant conditions (if any) affixed as a condition of approval.</p> <p>4.3. Power to waive or clear conditions affixed as conditions of approval with respect to the classes of approval set forth in 4.1 and 4.2.</p> <p>4.5. Power to endorse diagrams and plans of survey and deposited plans involving the acquisition and resumption of land created pursuant to Part 11 of the Act and the <i>Land Administration Act 1997</i></p>	<ul style="list-style-type: none"> <li>• Team Leader Statutory Planning (Metropolitan South East) 20040094</li> <li>• Team Leader Statutory Planning (Schemes and Amendments) 20040098</li> </ul>	
	<ul style="list-style-type: none"> <li>• Executive Director State and Regional Policy 20040336</li> <li>• Director Northern Regions 20020162</li> <li>• Director Central Regions 20080239</li> <li>• Director Southern Regions 20040345</li> <li>• Team Leader Statutory Planning Northern Regions 20020282</li> <li>• Team Leader Statutory Planning Central Regions 20020174</li> <li>• Team Leader Statutory Planning Southern Regions 20020163</li> <li>• Team Leader Statutory Planning Great Southern 20020177</li> <li>• Team Leader Strategic Planning Northern Regions 20020307</li> <li>• Team Leader Strategic Planning Central Regions 20070222</li> <li>• Team Leader Strategic Planning Southern Regions 20020446</li> </ul>	Confined to matters related to land within the Kimberley, Pilbara, Gascoyne, Mid-West, Goldfields-Esperance, Wheatbelt and Great Southern regions.
	<ul style="list-style-type: none"> <li>• Director of South West Planning Program 20020142</li> <li>• Team Leader Statutory Planning 20020143</li> <li>• Senior Project Planner 20020144</li> </ul>	Confined to matters related to land within the South West Region of the State.
	<ul style="list-style-type: none"> <li>• Director Peel Planning Program 20080158</li> <li>• Team Leader Peel Region 20020182</li> <li>• Team Leader Peel Region Scheme 20080159</li> </ul>	Confined to matters related to land within the Peel Region

**SCHEDULE 5—Enforcement and legal proceedings**

Column 1	Column 2	Column 3
<p>5.1. Power to advise the Minister for Planning on any appeal, review or matter arising therefrom pursuant to Part 14 of the Act.</p> <p>5.2. Power to defend and otherwise deal with reviews lodged with the State Administrative Tribunal and to appeal, defend, respond and otherwise deal with any matter that may be appealed to the Supreme Court on a question of law.</p> <p>5.3. Power to defend, respond, appeal and otherwise deal with legal proceedings.</p>	<ul style="list-style-type: none"> <li>• Chairman of the WAPC</li> <li>• Director General 20020084</li> <li>• Executive Director Statutory Planning 20050095</li> <li>• Team Leader Planning Appeals 20020513</li> </ul>	—
	<ul style="list-style-type: none"> <li>• Director Metropolitan North Planning Program 20050047</li> <li>• Director Metropolitan Central Planning Program 20080234</li> <li>• Director Metropolitan South Planning Program 20080235</li> <li>• Director Schemes and Appeals 20070191</li> <li>• Team Leader Statutory Planning (Metropolitan North East) 20040096</li> </ul>	Confined to matters related to land within the Perth Metropolitan Region.

Column 1	Column 2	Column 3
	<ul style="list-style-type: none"> <li>• Team Leader Statutory Planning (Metropolitan North West) 20040097</li> <li>• Team Leader Statutory Planning (Metropolitan Central) 20020243</li> <li>• Team Leader Statutory Planning (Metropolitan South West) 20040095</li> <li>• Team Leader Statutory Planning (Metropolitan South East) 20040094</li> <li>• Team Leader Statutory Planning (Schemes and Amendments) 20040098</li> </ul> <ul style="list-style-type: none"> <li>• Executive Director State and Regional Policy 20040336</li> <li>• Director Northern Regions 20020162</li> <li>• Director Central Regions 20080239</li> <li>• Director Southern Regions 20040345</li> <li>• Team Leader Statutory Planning Northern Regions 20020282</li> <li>• Team Leader Statutory Planning Central Regions 20020174</li> <li>• Team Leader Statutory Planning Southern Regions 20020163</li> <li>• Team Leader Statutory Planning Great Southern 20020177</li> <li>• Team Leader Strategic Planning Northern Regions 20020307</li> <li>• Team Leader Strategic Planning Central Regions 20070222</li> <li>• Team Leader Strategic Planning Southern Regions 20020446</li> </ul> <ul style="list-style-type: none"> <li>• Director of South West Planning Program 20020142</li> <li>• Team Leader Statutory Planning 20020143</li> <li>• Senior Project Planner 20020144</li> </ul> <ul style="list-style-type: none"> <li>• Director Peel Planning Program 20080158</li> <li>• Team Leader Peel Region 20020182</li> <li>• Team Leader Peel Region Scheme 20080159</li> </ul>	<p>Confined to matters related to land within the Kimberley, Pilbara, Gascoyne, Mid-West, Goldfields-Esperance, Wheatbelt and Great Southern regions.</p> <p>Confined to matters related to land within the South West Region of the State.</p> <p>Confined to matters related to land within the Peel Region of the State.</p>
5.4. Power to exercise all functions of the WAPC as set out in Part 13 of the Act.	<ul style="list-style-type: none"> <li>• Chairman of the WAPC</li> <li>• Director General 20020084</li> <li>• Executive Director Statutory Planning 20050095</li> <li>• Executive Director State and Regional Policy 20040336</li> </ul>	<p>—</p> <p>Confined to matters related to land within the Kimberley, Pilbara, Gascoyne, Mid-West, Goldfields-Esperance, Wheatbelt and Great Southern regions.</p>



## SCHEDULE 6—Miscellaneous powers

Column 1	Column 2	Column 3
6.1. Power to make arrangements for the conveyance, assignment, transfer, subdivision, amalgamation and development of WAPC property.	<ul style="list-style-type: none"> <li>Chairman of the WAPC</li> <li>Secretary of the WAPC</li> <li>Director Land Management 20020100</li> </ul> <p style="text-align: right;">Asset</p>	<ul style="list-style-type: none"> <li>Subject to a limitation of \$100,000.</li> <li>Function to be exercised having due regard to published WAPC policy.</li> </ul>
6.2. Power to make arrangements for the leasing of WAPC property including the determination of rents in accordance with established WAPC practice.	<ul style="list-style-type: none"> <li>Chairman of the WAPC</li> <li>Secretary of the WAPC</li> <li>Director Land Management 20020100</li> </ul> <p style="text-align: right;">Asset</p>	<ul style="list-style-type: none"> <li>Subject to a limitation of \$100,000.</li> <li>Function to be exercised having due regard to published WAPC policy.</li> </ul>
6.3. Power to make arrangements for the management, maintenance, repair, insurance, valuation and other related incidental functions with respect to WAPC property subject to a \$100,000 (one hundred thousand dollars) maximum figure of expenditure per property in any one financial year.	<ul style="list-style-type: none"> <li>Chairman of the WAPC</li> <li>Secretary of the WAPC</li> <li>Director Land Management 20020100</li> </ul> <p style="text-align: right;">Asset</p>	<ul style="list-style-type: none"> <li>Subject to a limitation of \$100,000.</li> <li>Function to be exercised having due regard to published WAPC policy.</li> </ul>
6.4. The awarding of contracts, and the appointment of consultants pursuant to section 15 of the Act, for activities to which a budget has been approved and allocated by the WAPC and subject to compliance in each case with State Supply Commission procedures.	<ul style="list-style-type: none"> <li>Chairman of the WAPC</li> <li>Secretary of the WAPC</li> <li>Director General 20020084</li> <li>Assistant Director General Strategic Corporate Support 20020061</li> <li>General Manager WAPC Services 20050179</li> </ul>	<ul style="list-style-type: none"> <li>Subject to a limitation of \$100,000.</li> <li>Function to be exercised having due regard to published WAPC policy.</li> </ul>
6.5. Such powers and functions of the WAPC that may be lawfully undertaken relating to the acquisition, development, maintenance and management of land under the Metropolitan Region Scheme, the Peel Region Scheme and the Greater Bunbury Region Scheme for the purpose of carrying out and giving effect to those Schemes, including— <p>(a) the application of money from the Western Australian Planning Commission Account and the Metropolitan Region Improvement Fund for such purposes;</p> <p>(b) the payment of capital expenditure, costs and other expenses incurred in connection with the acquisition of any property under any provisions of those Schemes;</p> <p>(c) the carrying out of works and provision of public facilities thereon as may be necessary for the use and maintenance of the land for which it may be reserved.</p>	<ul style="list-style-type: none"> <li>Chairman of the WAPC</li> </ul>	<ul style="list-style-type: none"> <li>Must have due regard to published WAPC policy.</li> <li>Does not apply to any matter that involves— <ol style="list-style-type: none"> <li>expenditure in excess of \$1,000,000 (one million dollars);</li> <li>the exchange of or disposal of land owned by the WAPC; or</li> <li>the resumption of land by the WAPC for a public purpose.</li> </ol> </li> </ul>
	<ul style="list-style-type: none"> <li>Secretary of the WAPC</li> </ul>	<ul style="list-style-type: none"> <li>Must have due regard to published WAPC policy.</li> </ul>

Column 1	Column 2	Column 3
		<ul style="list-style-type: none"> <li>• Does not apply to any matter that involves—               <ol style="list-style-type: none"> <li>1. expenditure in excess of \$500,000 (five hundred thousand dollars);</li> <li>2. the exchange of or disposal of land owned by the WAPC; or</li> <li>3. the resumption of land by the WAPC for a public purpose.</li> </ol> </li> </ul>
6.6. Power to prescribe charges, and set conditions, for the sale and release of maps and publications.	<ul style="list-style-type: none"> <li>• Chairman of the WAPC</li> <li>• Secretary of the WAPC</li> </ul>	<ul style="list-style-type: none"> <li>• Subject to a limitation of \$100,000.</li> <li>• Function to be exercised having due regard to published WAPC policy.</li> </ul>
6.7. Waiving of the additional fee for considering a minor variation to a plan of subdivision as part of an application for approval of subdivision or re-subdivision.	<ul style="list-style-type: none"> <li>• Chairman of the WAPC</li> <li>• Secretary of the WAPC</li> <li>• Executive Director Statutory Planning 20050095</li> </ul>	<ul style="list-style-type: none"> <li>• Subject to a limitation of \$100,000.</li> <li>• Function to be exercised having due regard to published WAPC policy.</li> </ul>
6.8. The functions of the WAPC provided in section 14(l) of the Act as are necessary to undertake the administrative and financial obligations of the WAPC— <ol style="list-style-type: none"> <li>(a) under section 181(1) of the Act to approve the quantum of the refund of compensation payable to the WAPC determined in accordance with sections 181(2) to (16) of the Act; and</li> <li>(b) to consent on behalf of the WAPC to the withdrawal of a notification when a refund of compensation is paid.</li> </ol>	<ul style="list-style-type: none"> <li>• Executive Director State and Regional Policy 20040336</li> </ul>	<ul style="list-style-type: none"> <li>• Subject to a limitation of \$100,000 in any one contract.</li> <li>• Confined to matters related to land within the Kimberley, Pilbara, Gascoyne, Mid-West, Goldfields-Esperance, Wheatbelt and Great Southern regions.</li> </ul>
	<ul style="list-style-type: none"> <li>• Director General 20020084</li> </ul>	—

Column 1	Column 2	Column 3
6.9. The powers and functions of the WAPC set out in the <i>Metropolitan Region Planning Authority (Reserved Lands) Regulations</i> to determine the acceptability of, and where appropriate to issue permits to persons or bodies for the conduct of, activities on land owned by the WAPC where the permitted activity is not inconsistent with the purpose for which the land is reserved under the Metropolitan Region Scheme and management practice for that land.	<ul style="list-style-type: none"> <li>• Relieving Field Officer 20060132</li> <li>• Field Officer 20050163</li> <li>• State Land Field Officer 20070038</li> <li>• State Land Field Officer 20070190</li> <li>• Field Management Officer 20020108</li> <li>• Field Management Officer 20020109</li> <li>• Field Management Officer 20020110</li> <li>• Field Management Officer 20020449</li> </ul>	—

**SCHEDULE 7—Powers under the Metropolitan Region Scheme**

Column 1	Column 2	Column 3
7.1. Power to determine applications for approval to commence and carry out development lodged with or referred to the WAPC pursuant to the provisions of the Metropolitan Region Scheme but only where those determinations are not inconsistent with predetermined policies (if any) of the WAPC and will not be significantly at variance with the recommendations made by the relevant local government or where no response has been received from the local government within the period prescribed in clause 29(3) of the Scheme.	<ul style="list-style-type: none"> <li>• Chairman of the WAPC</li> <li>• Executive Director Statutory Planning 20050095</li> <li>• Director Metropolitan North Planning Program 20050047</li> <li>• Director Metropolitan Central Planning Program 20080234</li> <li>• Director Metropolitan South Planning Program 20080235</li> <li>• Team Leader Statutory Planning (Metropolitan North East) 20040096</li> <li>• Team Leader Statutory Planning (Metropolitan North West) 20040097</li> <li>• Team Leader Statutory Planning (Metropolitan Central) 20020243</li> <li>• Team Leader Statutory Planning (Metropolitan South West) 20040095</li> <li>• Team Leader Statutory Planning (Metropolitan South East) 20040094</li> </ul>	—
7.2. Power to approve detailed plans requiring the subsequent approval of the WAPC as a condition of development approval pursuant to the provisions of the Metropolitan Region Scheme and power to confirm that conditions imposed by the WAPC on a development approval pursuant to the provisions of the Metropolitan Region Scheme have been complied with.	<ul style="list-style-type: none"> <li>• Chairman of the WAPC</li> <li>• Director General 20020084</li> <li>• Executive Director Statutory Planning 20050095</li> <li>• Director Metropolitan North Planning Program 20050047</li> <li>• Director Metropolitan Central Planning Program 20080234</li> <li>• Director Metropolitan South Planning Program 20080235</li> <li>• Director Schemes and Appeals 20070191</li> <li>• Team Leader Statutory Planning (Metropolitan North East) 20040096</li> <li>• Team Leader Statutory Planning (Metropolitan North West) 20040097</li> <li>• Team Leader Statutory Planning (Metropolitan Central) 20020243</li> <li>• Team Leader Statutory Planning (Metropolitan South West) 20040095</li> </ul>	—
7.3. Power to determine whether or not proposals and the ongoing implementation of the Metropolitan Region Scheme comply with conditions (if any) applied pursuant to sections 48F and 48J of the <i>Environmental Protection Act 1986</i> .	<ul style="list-style-type: none"> <li>• Team Leader Statutory Planning (Metropolitan North East) 20040096</li> <li>• Team Leader Statutory Planning (Metropolitan North West) 20040097</li> <li>• Team Leader Statutory Planning (Metropolitan Central) 20020243</li> <li>• Team Leader Statutory Planning (Metropolitan South West) 20040095</li> </ul>	—

Column 1	Column 2	Column 3
	<ul style="list-style-type: none"> <li>• Team Leader Statutory Planning (Metropolitan South East) 20040094</li> <li>• Team Leader Statutory Planning (Schemes and Amendments) 20040098</li> </ul>	
7.4. Power to determine whether or not applications to commence and carry out development are of State or regional importance, or in the public interest, pursuant to any resolution of the WAPC made under clause 32 of the Metropolitan Region Scheme requiring such determination.	<ul style="list-style-type: none"> <li>• Chairman of the WAPC</li> <li>• Director General 20020084</li> <li>• Executive Director Statutory Planning 20050095</li> </ul>	—
7.5. Power to issue Clause 42 Certificates pursuant to the provisions of the Metropolitan Region Scheme.	<ul style="list-style-type: none"> <li>• Chairman of the WAPC</li> <li>• Director General 20020084</li> <li>• Executive Director Statutory Planning 20050095</li> <li>• Manager Mapping and GeoSpatial Data 20020426</li> <li>• Coordinator Statutory Mapping 20070065</li> <li>• Director Metropolitan North Planning Program 20050047</li> <li>• Director Metropolitan Central Planning Program 20080234</li> <li>• Director Metropolitan South Planning Program 20080235</li> <li>• Director Schemes and Appeals 20070191</li> <li>• Team Leader Statutory Planning (Metropolitan North East) 20040096</li> <li>• Team Leader Statutory Planning (Metropolitan North West) 20040097</li> <li>• Team Leader Statutory Planning (Metropolitan Central) 20020243</li> <li>• Team Leader Statutory Planning (Metropolitan South West) 20040095</li> <li>• Team Leader Statutory Planning (Metropolitan South East) 20040094</li> <li>• Team Leader Statutory Planning (Schemes and Amendments) 20040098</li> </ul>	—

**SCHEDULE 8—Powers under the Peel Region Scheme**

Column 1	Column 2	Column 3
8.1. Power to determine applications for approval to commence and carry out development submitted or referred to the WAPC pursuant to the provisions of the Peel Region Scheme but only where— (a) the determination is not significantly at variance with the recommendations made by the local government;	<ul style="list-style-type: none"> <li>• Executive Director Statutory Planning 20050095</li> <li>• Director Peel Planning Program 20080158</li> <li>• Team Leader, Statutory Planning (Peel Region) 20020182</li> <li>• Team Leader Peel Region Scheme 20080159</li> </ul>	—

Column 1	Column 2	Column 3
<p>(b) no response has been received from the local government within the period prescribed in clause 30(3) of the Peel Region Scheme; or</p> <p>(c) the application is refused.</p> <p>8.2. Power to defend, respond, appeal and otherwise deal with legal proceedings.</p> <p>8.3. Power to approve detailed plans requiring the subsequent approval of the WAPC as a condition of development approval pursuant to the provisions of the PRS and power to confirm that conditions imposed by the WAPC on a development approval pursuant to the provisions of the Peel Region Scheme have been complied with.</p> <p>8.4. Power to determine whether or not proposals and the ongoing implementation of the Peel Region Scheme comply with the conditions applied pursuant to section 48F and 48J of the Environmental Protection Act 1986.</p> <p>8.5. In relation to a resolution of the WAPC made under clause 21 of the Peel Region Scheme, power to determine whether or not applications to commence and carry out development are of state or regional significance, or in the public interest.</p> <p>8.6. In relation to a resolution of the WAPC made under clause 21 of the Peel Region Scheme, power to determine whether or not a proposed development in the Rural zone requires planning approval for the following reasons—</p> <p>(a) development which abuts and has access to a regional reservation has the potential to significantly increase traffic;</p> <p>(b) development in a special control area may conflict with the purposes of the special control area;</p> <p>(c) development in the Rural zone may not be consistent with the purposes of the Rural zone.</p> <p>8.7. Power to extend the period during which a local government is required to forward its recommendations to the WAPC under clause 30 of the Peel Region Scheme.</p>		
<p>8.8. Power to issue Clause 47 Certificates pursuant to the provisions of the Peel Region Scheme</p>	<ul style="list-style-type: none"> <li>• Manager Mapping and GeoSpatial Data 20020426</li> <li>• Coordinator Statutory Mapping 20070065</li> </ul>	—

**SCHEDULE 9—Powers under the Greater Bunbury Region Scheme**

Column 1	Column 2	Column 3
<p>9.1. Power to determine applications for approval to commence and carry out development submitted or referred to the WAPC pursuant to the provisions of the Greater Bunbury Region Scheme but only where—</p> <p>(a) the determination is not significantly at variance with the recommendations made by the local government;</p> <p>(b) no response has been received from the local government within the period prescribed in clause 36(3) of the Greater Bunbury Region Scheme; or</p> <p>(c) the application is refused.</p> <p>9.2. Power to defend, respond, appeal and otherwise deal with legal proceedings.</p> <p>9.3. Power to approve detailed plans requiring the subsequent approval of the WAPC as a condition of development approval pursuant to the provisions of the Greater Bunbury Region Scheme and power to confirm that conditions imposed by the WAPC on a development approval pursuant to the provisions of the Greater Bunbury Region Scheme have been complied with.</p> <p>9.4. Power to determine whether or not proposals and the ongoing implementation of the Greater Bunbury Region Scheme comply with the conditions (if any) applied pursuant to section 48F and 48J of the Environmental Protection Act 1986.</p> <p>9.5. In relation to a resolution of the WAPC made under clause 27 of the Greater Bunbury Region Scheme, power to determine whether or not applications to commence and carry out development are of state or regional significance, or in the public interest.</p> <p>9.6. In relation to a resolution of the WAPC made under clause 27 of the Greater Bunbury Region Scheme, power to determine whether or not a proposed development requires planning approval for the following reasons—</p> <p>(a) development which abuts and has access to a regional road reservation has the potential to significantly increase traffic;</p> <p>(b) development in a special control area may conflict with the purposes of the special control area;</p>	<ul style="list-style-type: none"> <li>• Executive Director, Statutory Planning 20050095</li> <li>• Director, South West Planning 20020142</li> <li>• Team Leader, Statutory Planning, South West Planning 20020143</li> <li>• Team Leader, Greater Bunbury Region Scheme 20090004</li> </ul>	<p style="text-align: center;">—</p>

Column 1	Column 2	Column 3
<p>(c) development in, adjacent to or in close proximity to a policy area is potentially incompatible with the intended activities in the policy area or would be adversely affected by, or would adversely affect, those activities;</p> <p>(d) development is sufficiently close to a policy area for the effects of activities in the policy area to be likely to adversely affect the proposed use and/or for the effects of the development to be likely to adversely affect uses in the policy area;</p> <p>(e) development in the rural zone may not be consistent with the purposes of the rural zone.</p> <p>9.7. Power to extend the period during which a local government is required to forward its recommendations to the WAPC under clause 36 of the Greater Bunbury Region Scheme.</p>		
<p>9.8. Power to issue certificates under clause 53 of the Greater Bunbury Region Scheme.</p>	<ul style="list-style-type: none"> <li>• Manager, Mapping and Geospatial Data 20020426</li> <li>• Coordinator Statutory Mapping 20070065</li> </ul>	—

**SCHEDULE 10—Powers under the Ningaloo Coast Regional Interim Development Order 2007**

Column 1	Column 2	Column 3
<p>10.1. Power under clause 6 of the Ningaloo Coast Regional Interim Development Order 2007 to—</p> <p>(a) advise public authorities and local governments pursuant to subclause (2);</p> <p>(b) require modification to the development pursuant to subclause (3); and</p> <p>(a) submit the matter to the Minister for determination by the Governor under section 27(2) of the Act pursuant to subclause (4).</p> <p>10.2. Power under clause 11 of the Ningaloo Coast Regional Interim Development Order 2007 to—</p> <p>(a) determine that planning approval should not be granted before notice of the application is given;</p> <p>(b) give notice, or require the applicant to give notice, of the application in one or</p>	<ul style="list-style-type: none"> <li>• Director, Ningaloo Sustainable Development Office 20040103</li> </ul>	-

Column 1	Column 2	Column 3
<p>more of the ways set out in clause 11; and</p> <p>(c) determine which nearby owners and occupiers are likely to be affected by the proposed development.</p> <p>10.3. Power under clause 12 of the Ningaloo Coast Regional Interim Development Order 2007 to—</p> <p>(a) determine applications for planning approval provided any such determination is in accordance with the published policies of the WAPC; and</p> <p>(b) exercise any of the related powers of the WAPC conferred by clauses 15, 16, 18, 19 and 20 of the Ningaloo Coast Regional Interim Development Order 2007.</p> <p>10.4. Power under clause 13 of the Ningaloo Coast Regional Interim Development Order 2007 to consult on a proposed development with any public authority considered appropriate, in accordance with clause 13 of the Ningaloo Coast Regional Interim Development Order 2007.</p> <p>10.5. Power to defend and otherwise deal with any applications for review lodged with the State Administrative Tribunal against determinations of the WAPC under the Ningaloo Coast Regional Interim Development Order 2007.</p>		

PI405\*

**PLANNING AND DEVELOPMENT ACT 2005**  
 APPROVED LOCAL PLANNING SCHEME AMENDMENT  
*Shire of Halls Creek*

Town Planning Scheme No. 1—Amendment No. 12

Ref: 853/7/3/2 Pt 12

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the Shire of Halls Creek local planning scheme amendment on 19 February 2009 for the purpose of—

1. Rezoning Lot 434 corner of Bridge Street and Welman Road, Halls Creek from Industrial to Residential (R40).
2. Amending the Scheme map accordingly.

LYNETTE CRAIG, Shire President.  
 WARREN OLSEN, Chief Executive Officer.



## RACING, GAMING AND LIQUOR

RG401\*

### LIQUOR CONTROL ACT 1988

#### LIQUOR APPLICATIONS

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

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

App. No.	Applicant	Nature of Application	Last Date for Objections
<b>APPLICATIONS FOR THE GRANT OF A LICENCE</b>			
12780	Milk Investments Pty Ltd	Application for the grant of a Liquor Store licence in respect of premises situated in the Perth Airport and known as Gate 1 IGA Plus Liquor.	13/04/2009
12778	Soho House Pty Ltd	Application for the grant of a Small Bar licence in respect of premises situated in Perth and known as Wolfe Lane.	22/04/2009
12771	Samic Nominees Pty Ltd	Application for the grant of a Restaurant licence in respect of premise situated in Hillarys and known as Mia Cucina.	6/05/2009
<b>APPLICATION FOR EXTENDED TRADING PERMITS—ONGOING EXTENDED HOURS</b>			
33569	Ooby Dooby Pty Ltd and Premiership Pty Ltd	Application for an Extended Trading Permit—Ongoing Hours in respect of premises situated in Collie and known as the Crown Hotel.	13/04/2009
<b>APPLICATION FOR APPROVAL TO ALTER/REDEFINE THE LICENSED PREMISES</b>			
283724	Nobel Falls Tavern Pty Ltd	Application for approval to alter/redefine the Tavern in respect of premises situated in Gidgegannup and known as Noble Falls Tavern & Restaurant.	10/04/2009

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

Dated: 25 March 2009.

B. A. SARGEANT, Director of Liquor Licensing.

## REGIONAL DEVELOPMENT

RD401\*

### REGIONAL DEVELOPMENT COMMISSIONS ACT 1993

#### APPOINTMENT OF MEMBERS

The following have been appointed as board members to the Goldfields-Esperance Development Commission in Western Australia, in accordance with the *Regional Development Commissions Act 1993*—

#### GOLDFIELDS-ESPERANCE DEVELOPMENT COMMISSION

##### Board of Management

Ministerial	Term Expiring
Mr Graham Thomson	30/06/2011
Local Government	
Mr Ronald Yuryevich	30/06/2011
Community	
Ms Suzanne Williams	30/06/2011

ROBERT HICKS, Chief Executive Officer.

## WATER/SEWERAGE

WA401\*

### WATER AGENCIES (POWERS) ACT 1984

#### WATER SUPPLY IMPROVEMENTS—NANNUP—NEW BORE HEADWORKS

##### Authorisation to Construct New Bore Headworks

In accordance with the provisions of the Water Agencies (Powers) Act 1984, the Minister for Water Resources and Mental Health has authorised the Water Corporation to construct the following works—

- Fitting the existing Nannup Bore 1/07 with submersible motor and column
- DN300 Borehead pipework including valves, meters and fittings
- Electrical control cabinets, 20m high radio antenna and associated control equipment
- All associated pipework valves and fittings

The location of the proposed works is in the Shire of Nannup as shown on the plan below.

When completed, the works will improve the reliability of the Nannup-Bridgetown water supply scheme.



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## DECEASED ESTATES

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ZX401\*

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

## Notice to Creditors and Claimants

Creditors and other persons having claims (to which Section 63 of the Trustees Act, 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 27/4/2009 after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Ardron, Pauline Thelma, late of 19 Grantham Place, Carlisle, formerly of 6 Weston Street, Carlisle, died 27.02.2009 (DE19793215EM38)

Barr, John Mcwhannell, late of Bert England Lodge Room, 2/111 Woodbridge Drive, Cooloongup, died 10.03.2009 (DE33063030EM211)

Bradshaw, Edmund James, late of Applecross Nursing Home, River Way, Applecross, died 3.02.2009 (DE19811385EM27)

Butt, George Stanley, late of Anchorage Aged Care, 340 Anchorage Drive, Mindarie, died 18.02.2009 (DE19922793EM13)

Graef, Werner Siegfried, late of 10 Berry Court, Maddington, died 25.01.2009 (DE19690650EM23)

Hyslop, Margaret, late of The Pines Aged Care Facility, 167 Ponte Vecchio Boulevard, Ellenbrook, died 8.03.2009 (DE33071639EM16)

Kurtos, Paul, late of c/-Rainbow Caravan Park, 199 Kennedy Street, Harvey, died 1.09.2008 (DE33069478EM16)

Meredith, Margaret Elizabeth, late of Annesley-Rowthorpe John Wesley House, 4-10 Hayman Road, Bentley, died 13.03.2009 (DE19950128EM36)

Seaton, Alan Cuthbert, late of Unit 21 19 Bulrush Drive, Bibra Lake, died 4.11.2008 (DE19732511EM37)

Slator, Alice, late of River Way, Applecross, died 30.01.2009 (DE20001090EM26)

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

ZX402\*

**PUBLIC TRUSTEE ACT 1941****ADMINISTRATION OF ESTATES**

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

Dated at Perth the 27th day of March 2009.

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

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Name of Deceased	Address	Date of Death	Date Election Filed
Edmund James Bradshaw DE19811385EM27	Mandurah Caravan Park Mandurah	3 February 2009	19/3/2009

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ZX403\*

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

## Notice to Creditors and Claimants

In the estate of John Richard Hammond who died on 27 August 2008 of Kensington Park Nursing Home, Gwentyfred Road, Kensington, 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 said deceased person are required by the Executor of the deceased's estate

being Martin John Hammond care of Angus Tibbits Solicitors, Suite 9, 73 Calley Drive, Leeming, Western Australia, to send particulars of their claims to him by the 24 April 2009, after which date the Executor 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 Maria Theresia Mellor who died on 13 August 2008 of RAAFA Gordon Lodge, Bull Creek Drive, Bull Creek, 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 said deceased person are required by the Executor of the deceased's estate being Peter Angus Tibbits care of Angus Tibbits Solicitors, Suite 9, 73 Calley Drive, Leeming Western Australia, to send particulars of their claims to him by the 24 April 2009, after which date the Executor may convey or distribute the assets having regard only to the claims of which he then has notice.

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**TRUSTEES ACT 1962**

**DECEASED ESTATES**

Notice to Creditors and Claimants

In the estate of Robert William Stone, late of 31 Dolomite Court, Churchlands, Western Australia, Financial Advisor, 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 16th day of November, 2008 are required by the personal representatives Simon Elwyn Creek of 189 Grey Street, Albany, Western Australia and Murray Noel Thornhill of 72 Vancouver Street, Albany, Western Australia to send particulars of their claims to them care of HHG Legal Group, Ground Floor, 72 Kings Park Road, West Perth, Western Australia by the 30th day of April 2009 after which date the personal representatives may convey or distribute the assets having regard only to the claims of which they then have notice.

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WESTERN AUSTRALIA

**RETIREMENT VILLAGES ACT 1992**

**Price: \$9.80**  
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**RETIREMENT VILLAGES REGULATIONS 1992**

**\*Price: \$5.70**  
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\* Prices subject to change on addition of amendments.